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WYATT'S COMPANION

TO THE

EDUCATION ACTS, 1870-1902.





WYATT'S COMPANION

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EDUCATION ACTS, 1870-1902.

BY

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THOMAS WYATT, MANCHESTER.

1903.





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## PREFACE.

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THE object of this Handbook is to give information regarding the working of the new Education Act (which embraces the Elementary Education Acts, 1870-1900), and other statistics bearing on education.

The explanations and illustrations given in the text are based on thirty-two years' personal experience of the administration of the Education Acts, 1870-1900, etc.

I am also indebted for the possession of much of the special information, I am enabled to supply, to the fact that, as Honorary Secretary of the Association of School Boards and Editor of *The School Board Gazette*, I have enjoyed somewhat exceptional opportunities of dealing with all phases of the intricate administration of public education.

During many years I have been collecting the particulars embodied in the pages of this Companion, and now, when a new departure in the local administration of education has been made by the State, and local authorities in all parts of England and Wales are about to apply themselves to a new condition of things, I think the time is opportune for the issue of this work, designed to elucidate and, I hope, to remove some of the difficulties of local administration.

Where I have made use of articles of my own, contributed to periodical literature, I have revised the matter, and brought the statistics up to the present date.

I have carefully considered how to arrange my information, and I have come to the conclusion that I can meet the convenience of my readers in the best way by putting such information into encyclopædic form, supplementing my articles and notes by the full text of the various Acts of Parliament, with copies of such Government minutes and regulations as are necessary for a clear comprehension of the somewhat complicated machinery which, controlled by the Board of Education, will, for the first time in our history, have the task of providing for all the various kinds of education on equal terms. In my opinion this is a better plan for a work of general reference than to overload with footnotes the various Acts of Parliament. By means of references between the articles and the Acts of Parliament, etc., I have endeavoured to illustrate my various points.

I have arranged my contents as follows:—

PART I.—Summary of the Education Act, 1902.

PART II.—Special Articles and Notes, arranged alphabetically.

PART III.—The Education Acts and Acts of Parliament bearing upon Education, with Government Regulations, etc.

PART IV.—Specimen Forms, etc.

In all cases I have endeavoured to give my explanations clearly, and where necessary I have given concrete examples of administration illustrating schemes of Education, the working of scales of salaries, the cost of buildings and maintenance, and of the various departments of educational work which will be in the charge of the new authorities. The same has also been my desire with regard to matters of general finance and the raising and repayment of loans, etc.

My design is that the work as a whole shall provide a practical guide to the official working of the Education Acts, and I have not

hesitated to deal at length with much of the collateral work undertaken by some of the great Boards, such, for instance, as the provision of School Banks, and the organisation of voluntary funds for providing free meals for destitute children, etc.

Although we have many valuable works dealing with the Education Acts, principally from a legal aspect, I do not know of any publication designed to serve as a working companion for those who are concerned in the administration of education. I hope that my modest efforts may lay the foundation of such a work.

My long experience of the administration of the Education Acts has taught me that men and women who lay no claim to being considered experts are among the most useful members of administrative bodies; but the acquirement of a certain amount of technical information is necessary, and I hope that many will find my Companion useful to this end, and that it may save their time and remove many of their difficulties. I have also found that even those who, as officials, devote their lives to administration, frequently experience the need of statistical and other information, which it is a great labour to extract from blue books and reports just at the moment when it is most required. To have such information ready, and to be able thereby easily to place our hands on the sources from which we may obtain more detailed particulars applicable to special cases, is many times of great advantage to busy officials. It has been my object to do something to meet these needs.

My own perplexity has frequently been due, not to lack of information regarding the administration of education, so much as to my want of a handbook, so marshalling the facts, rules, and regulations that they become clear to the ordinary inquirer, showing concisely how the various Acts of Parliament and Government Regulations are applicable to different localities, and showing how all may enjoy to the full the benefits and opportunities offered by the State, and at the command of the local authorities.

In my notes and articles I have not hesitated to state where I think improvements may be effected in our present methods.

Perhaps I may be permitted to say here that I have greater faith in administration than I have in legislation—though one is not possible without the other; and when I recall the fact that in many School Board districts much has been achieved by wise local administration in the face of the greatest difficulties—many of which have been created by Parliament and by the Central Authority—I have courage in believing that a wise local administration of the new Act, guided by a re-constituted Central Authority, will remove many of the misgivings and misapprehensions of which we have heard so much in recent discussions.

I believe that such a wise local administration by the County Councils will be their best claim for asking for a still further decentralisation of authority on the part of the State, and the consequent removal of bureaucratic rules and restrictions which at present do much to hinder local enterprise and enthusiasm.

The task I have attempted is an ambitious one. Errors must of necessity creep into such a work as this, and I promise that I shall be grateful for correction and suggestions.

CHARLES HENRY WYATT.

January 21st, 1903.



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PART I.

SUMMARY OF THE EDUCATION ACT, 1902.



## SUMMARY OF THE EDUCATION ACT, 1902.

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### INTRODUCTORY.

THE Education Act, 1902, received the Royal Assent on the 18th of December, 1902. The title of this great measure is a good omen, for unlike all the other Education Acts, now welded together, it drops the qualifying term Elementary, which has characterised all its predecessors dealing with the provision of popular education in England and Wales since 1870. Amid all the discordant expressions regarding the provision of education, there has been one point on which all have been unanimous during the past twenty years. This one point of agreement has been the absolute necessity of legislation for England and Wales by which all kinds of education, provided at the public cost, should be under the control of one popularly-elected body in districts of suitable size and of adequate rateable value. Manifestly the Act of 1902 is a great step in this direction. The one authority becomes an accomplished fact so far as secular education is concerned in the county boroughs, for, notwithstanding any reasonable difference of opinion there may be as to the constitution of the education committees, *it is the councils who are supreme.*

The case is not quite so strong in the administrative counties; but here the Act does a great deal towards improving the state of chaos from which we have suffered since 1870. In every district there is now an authority having the power to provide the means, and responsible for the maintenance, of popular education. The miserable makeshift of the school attendance committees (with no power to provide schools) is at an end.

Then, again, the county boroughs have full power to supply both elementary and higher secular education, to the extent of any expenditure they may see fit to incur, without the fear of any limitation laid down by the law as to the extent of that education. It is a matter of regret that, in the counties, rate expenditure on higher education, and especially on evening continuation schools, should be limited, but we must always remember that the county councils are of strength and influence sufficient to obtain the consent even of the Local Government Board whenever there is a good case for exceeding the first limitation laid down by the Act. Reverting to elementary education, it is a

vast advantage that the pernicious influence of authorities of small places, rendering compulsory school attendance a sham and a bye-word, is likely soon to be a disgrace of the past. The great county councils of the administrative areas may, I think, be trusted to bring about a speedy reform in securing greater regularity of school attendance in rural districts. Any improvement in this direction will be a real blessing to education, for there can be no greater discouragement to the teacher than the careless and indifferent attendance of the scholars in public elementary schools.

Next, we may rest assured, that criminal and neglected children, as well as blind, deaf, or mentally deficient children, will now receive due care and attention. To one who has had the administration of the Education Acts in a great town centre, nothing has been a more fruitful cause of pain than to witness the shuffling practices of some of the small neighbouring local authorities to avoid, solely on the score of expense, any responsibility for dealing with criminally neglected children, whose other misfortunes have been capped by the accident that their parents, or so-called "guardians," resided on the wrong side of a street dividing the city from the urban or rural district.

This has also been the plan adopted with regard to the provision of school accommodation, every artifice being resorted to, either to take advantage of the accommodation in the neighbouring school board area, or to put off the evil day when the district would be called on to provide school accommodation for its own children. Here, again, it was the keeping down of the rates that governed the whole position. I know one district (immediately contiguous to a large town in the north) where, at the present time, every public elementary school has been condemned by H.M. Inspector of Schools. It is at all events some satisfaction to know that such a place will speedily be called upon to take up its responsibilities, which have so long been successfully evaded.

So much for some of the evils we have suffered from the parochial lines upon which elementary education has hitherto been administered; but, before leaving this point of view, I would like to refer to another matter which through the development of advanced education—first in the higher grade schools and in a greater degree in the more recent provision of technical instruction—has come prominently into view. Wherever means of higher education, either in day or evening schools, have been provided by great municipal authorities, it has been found that persons who are not ratepayers of the district have been very ready to take advantage of them, and an injustice to the ratepayers of the large towns has been created—an injustice which the authorities who have established these places of higher instruction have, owing to many reasons, been powerless to avert. I do not know



that, considering the advantages enjoyed, the rates of Manchester are excessive, yet it is quite possible, by a short railway journey, to live in an adjacent district where the rates are less than half those of the city, and where house rent is proportionately less—districts, however, where it is impossible for the local authorities to provide educational facilities anywhere approaching those afforded by a great town. Is it to be wondered at that pupils come into the town by thousands from such adjacent districts, every one of whom is some cost to the rates of that town? Let me take an extreme instance, viz.: that of the great Municipal School of Technology in Manchester, equipped in every direction by municipal munificence and forethought for affording instruction in all the vital industries of Lancashire and the adjacent counties. This is an institution which it would be intolerable to class as a local school, yet it is upon Manchester that the expense of its maintenance depends. For the first time it is possible to remedy this mischief, for it is a mischief when the resources of adjacent districts are frittered away in a pretence of supplying so-called technical instruction, which they cannot in their limited sphere of operations provide to anything like the same extent, or with the proved efficiency of what is already at their very doors in the greatest technical school in the kingdom.

By a plan provided under the new Act, and indeed therein expressly contemplated, it is now possible for working arrangements to be made between Manchester and the authorities of adjacent districts whereby the fullest benefits of the Municipal School of Technology may be placed at the service of the industrial population, extending far beyond the somewhat narrow confines of the city. I am sanguine enough to believe that this will be brought about not only in Manchester, but also in other great centres of population. Great schools should serve the prime necessities of the people to the fullest extent possible, and they should not be hampered by useless and extravagant competition. Now that the cause of education is made, perhaps, the greatest function of local administration, and that in the hands of the county councils, I believe all this will come about. But such schemes should be entered into now, when we are on the threshold of great educational changes about to be instituted; and such possibilities must not be lost sight of either by the central authority or by the councils in the framing of the schemes under the Act. It is certainly a matter of prime necessity that higher education should be provided at well-defined centres, particularly in the crowded districts of industrial England. Local ambitions and local jealousies must not be allowed to interfere with the supreme necessities of the nation as a whole, and, generally speaking, it can only be in great institutions that the best instruction, most costly of its kind if it is to be efficient, can be provided.

Going another step, let us look for a moment at the utterly inefficient and inadequate means we have still in England and Wales for the training of teachers for our schools. Owing to want of accommodation thousands of teachers are unable to enter the training colleges each year, and they become for life teachers in our public elementary schools, deprived at the outset of their career of that full measure of education and training without which they should not have been allowed to enter the profession of a teacher. This, and the poverty of the voluntary schools, have led to the present reproach that there are in our schools at this time some 18,000 "Article 68" teachers, badly paid, and in many cases wholly unfit to be entrusted with the instruction of the children. These are recruited by Ex. P.T. assistants (many of these have been kept out of the training colleges by lack of room), and by that latest kind of assistant teachers whose qualification for temporary recognition is that they have *failed* to pass their final examinations when apprentices. Now, for the first time, and under this Education Act, local authorities are charged with the provision of training colleges for teachers. In a few years, by means of the assistance which can be given to the universities in aid of their day training colleges, and by the provision of new residential colleges, this power to apply the rates to the expense of training teachers should be of inestimable value to primary education.

It is not my purpose here to enumerate all the benefits which will accrue from the Education Act of 1902, but I should blame myself did I not refer to the greatest benefit of all which will be undoubtedly derived. For the last 30 years the greater proportion of the children of England and Wales have been deprived of the benefits enjoyed by the children who have attended the board schools. Step by step the position of the voluntary schools has rapidly approached the region of impossibility. Various expedients have been adopted to meet the needs of their case. Doles have proved inefficient. Teachers and children have suffered. The board schools have also felt the mischief of belonging to one of two classes of schools—mischief arising through the natural jealousies, and frequently the opposition, of those members of school boards who felt the hopelessness of the contest. Now these difficulties will be removed. In the matters of salary, and sufficiency of teaching staffs, both classes of schools will to a great extent be placed on the same level. The structural difficulty remains, and it will undoubtedly try the resources of the managers of non-provided schools to bring up their buildings to a passable level with the board schools. But the difficulty of maintenance is gone, and all children will be treated alike in the matter of their teaching and the equipment of their schools. Who will deny that this is a thing to be thankful for? In speaking of voluntary schools I make bold here to

say that the country owes much to their managers and supporters. It was my happy privilege to be associated with one who, in a quiet, unostentatious way, spent a fortune in maintaining voluntary schools long before the nation practically concerned itself with providing the rates, even for board schools. At one time, he of whom I speak had the responsible management of more than 20 schools in the district where he lived, and he devoted his life and his means to their support. He lived for 20 years after the passing of Mr. Forster's measure to direct the school board work of his district. What the School Boards of Manchester and Salford owe to Mr. Herbert Birley is, in degree, true of similar service rendered to like public work in various parts of the country, particularly in the earlier years of school board administration, for it was to the managers of voluntary schools that the school boards were indebted largely for the experience which contributed so much to their success. To such men, belonging solely to no particular church or political party, we owe the fact that we have been saved from any danger of having our primary education founded on purely secular lines—a position which, I believe, would have been a calamity, seeing that, after all, character is even more than education; and it is the opinion of the vast majority of the people of this country that moral instruction finds its surest foundation in Christian precept and example.\*

As a piece of machinery for carrying on the education of the people, the new Act depends largely on the mass of legislation which has accumulated during the past 30 years, and for its development of the Act of 1870. When we think of how little Mr. Forster's Act has needed revision, and of the fact that it largely forms the keystone on which even yet depends the whole scheme of popular education in England and Wales, we must be convinced of the excellence of its construction as a piece of legislation. Happily, in a period of some stress, so far as education is concerned, the country possesses the experience and inheritance left by the school boards; and as time goes on, and it is discovered how vast a part of the work under the new Act is that part which vitally concerns seven-eighths of the children of the country—namely, elementary education—it will come to be even more fully recognised than is the case at the present time, how well the school boards have done their work, and how magnificent has been the inheritance they will leave behind them when "the appointed day" arrives.

Appended is a summary of the new Act, the full text of which is, with that of the other Education Acts, given in Part III.

## THE EDUCATION ACT, 1902.

NOTE.—School Boards are abolished, and their duties taken over by the county councils from the appointed day (any date which may be fixed by the Board of Education—*i.e.*, the 26th March, 1903, or such other day not being more than eighteen months later). Different days may be appointed for different purposes and for the districts of different councils. (Section 27 (2).) No election of a school board can take place after the passing of the Act, and existing boards may have their periods of office continued to the appointed day, the Board of Education making any necessary orders in this regard. (Second Schedule, section 10.)

## SUMMARY OF PROVISIONS, ARRANGED UNDER FOLLOWING HEADS.

- I.—LOCAL EDUCATION AUTHORITIES.
- II.—FUNDS.
- III.—EDUCATION COMMITTEES.
- IV.—HIGHER EDUCATION.
- V.—ELEMENTARY EDUCATION.
- VI.—MANAGERS.
- VII.—PROVISION OF NEW SCHOOLS.
- VIII.—TRANSFER OF OFFICERS.
- IX.—GENERAL PROVISIONS.

## I.—LOCAL EDUCATION AUTHORITIES.

The council of every county and of every county borough.

|   |   |
|---|---|
| The council of a borough with over 10,000 population* .....         | } For purposes of Part III. of the Act—elementary education. (Section I.) |
| The council of an urban district with over 20,000 population* ..... |   |

Councils of non-county boroughs and urban districts have powers, as well as county councils, to spend money (including not more than a penny rate) on the provision of education other than elementary. (Section 3.)

## II.—FUNDS.

*Money for Higher Education.*

1. The customs and excise money. (Section 2 (1).)
2. The local rate, not limited for county boroughs, but limited in administrative counties to a rate of 2d. in the pound, or such higher rate as the county council, with the consent of the Local Government Board, may fix. (Section 2 (1).)
3. South Kensington Grants.
4. Non-county boroughs and urban districts may apply

\* In these boroughs and districts there may be two authorities—(1) the county council, levying a rate of 2d. or less for higher education; and (2) the council of the borough or district controlling elementary education, and having the control of any higher education they may supply (the rate not to exceed 1d.). Such councils may, however, relinquish their powers to the county councils. (Sec. 20 (b).)



in addition the proceeds of a penny rate. (Section 3.) (See footnote, "Expenses.")

5. The councils have borrowing powers. (Section 19.)

### *Money for Elementary Education*

1. Board of Education grants under Code average £1 0s. 7d. per head on average attendance. Fee grant 10s. per head on average attendance.

Special grant \* of 4s. per scholar and an additional sum of 1½d. per scholar in average attendance for every complete 2d. by which the amount produced by a penny rate falls short of 10s. per scholar. This amount will vary in different localities. (Section 10 (a) and (b).)

2. Miscellaneous receipts (if any).

3. The local rate—not to be less than 3d. in the pound — or the Parliamentary grant will be decreased, and the amount payable out of other sources will be increased by a sum equal in each case to half the difference. (Section 10 (1).) (See footnote, "Expenses.")

### *Expenses*

Shall be met (so far as not otherwise provided for)—

- (a) In counties out of the county fund.
- (b) In boroughs out of borough fund or borough rate, or, if no borough rate is levied, out of a separate rate, to be levied, etc., in like manner as a borough rate.
- (c) In urban districts other than boroughs in manner provided by section 33 of the Elementary Education Act, 1876.—(Section 18 (1).)

Provided that—

- (a) For education other than elementary the county council may charge the overseers of any parish or parishes served by a school or college which has incurred the expense.—(Section 18 (1) (a).)
- (b) The county council shall not raise any sum on account of elementary education within any borough or urban district the council of which is the local authority for elementary education.—(Section 18 (1) (b).)
- (c) In the case of capital expenditure or rent on account of the provision or improvement of any public elementary school by the county council they shall charge such portion as they think fit (not less than one-half or more than three-fourths) on the parish or parishes which, in their opinion, are served by the school, and the same rule applies to the liabilities on account of loans or rent of any school board transferred to them exclusively within the area which formed the school board district.—(Section 18 (c) and (d).)

Where expenses in any borough under local Acts for purpose of elementary education (Acts 1870-1900) have been payable out of some fund other than borough fund or rate, the expenses under this Act shall continue to be payable out of that fund or rate, instead of out of the borough fund or rate.—(Section 18 (4).)

\* The grants under the Voluntary Schools Act, 1897, and Elementary Education Act, 1897 (Necessitous School Boards), are withdrawn.



All receipts of any school maintained by the local authority (including Parliamentary grants), but excluding sums specially applicable for purposes for which provision is to be made by the managers, shall be paid to that authority.

Separate accounts shall be kept by the council of a borough of their receipts and expenditure under this Act. These accounts are subject to the control and audit of the Local Government Board, and the same regulation applies to the receipts or expenditure of money entrusted by the local authority to any education committee, or managers of any public elementary school. (Section 18 (2) (3) (5).)

The borrowing powers of the county councils are those of the Local Government Act, 1888, and in boroughs and urban districts those of the Public Health Act. (Section 19 (1).)

### III.—EDUCATION COMMITTEES.

The council shall establish an education committee (or education committees) constituted in accordance with a scheme made by them and approved by the Board of Education, and all matters except raising a rate or borrowing money shall stand referred by the council to this committee, and the council, before exercising any of their powers, shall, unless in their opinion the matter is urgent, receive and consider the report of the committee in regard to the matter in question. With the foregoing exception, all powers under the Act may be delegated by the council to the education committee. (Section 17 (1) (2).)

Twelve months are allowed for councils to draw up schemes and obtain approval of same. In default the Board of Education have power to act under Provisional Order. (Section 17 (7).)

#### *Scheme for Appointment of Education Committees.*

Every scheme shall provide—

(a) For the appointment on the committee of at least a majority of members appointed by the council who shall be members of the council, unless in the case of a county the council shall otherwise determine.

(b) For the appointment by the council, on the nomination or recommendation, where it appears desirable, of other bodies (including associations of voluntary schools), of persons of experience in education, and of persons acquainted with the needs of the various kinds of schools in the area.

(c) For the inclusion of women on the committee. (Women are not disqualified either by sex or marriage.)

(d) For the appointment, if desirable, of members of

School Boards existing at the time of the passing of the Act as members of the first committee.\* (Section 17 (3).)

Separate education committees may be formed for any area within a county, and a joint committee may be formed for any area formed by a combination of county boroughs or urban districts or of parts thereof. A majority of the members to be appointed by the councils of any of the counties, boroughs, or districts out of which or parts of which the area is formed. (Section 17 (5).)

Before approving schemes, the Board of Education may give public notice, and where more than one committee is appointed shall satisfy themselves as to the general co-ordination of all forms of education. (Section 17 (6).)

#### *Proceedings of Committee, &c.*

Council to make regulations as to quorum, proceedings, &c. Chairman to have casting vote. Minutes of proceedings shall be kept. Sub-committees, consisting wholly or in part of members of committee, may be appointed subject to directions of council. (First Schedule, A.)

#### IV.—HIGHER EDUCATION.

The powers of the local education authorities are, with regard to higher education, to consider the educational needs of their area, and to take such steps as seem to them desirable, after consultation with the Board of Education, to supply or aid the supply of education other than elementary, and promote the general co-ordination of all forms of education.† (Section 2 (1).)

The power to supply, etc., education other than elementary includes training of teachers, and the supply or the aiding of the supply of any education except where that education is given at a public elementary school (Section 22 (3)), and includes the cost of vehicles or travelling expenses of scholars or teachers when required. (Section 23 (1).)

\* Provision is also made in section 17 (4) for disqualification of persons holding office of profit or concerned in contracts with council from being members of committees, excepting a person holding office in a school or college aided, provided, or maintained by the council. Schemes for Wales shall make provision for county governing body (Welsh Intermediate Education Act, 1889) to cease to exist, and for transfer of powers and properties.—(Section 17 (8).)

† Religious instruction. A council shall not require that any particular form of religious instruction shall or shall not be given in any school or college aided but not provided by the council, and in schools and colleges provided by the council the Cowper-Temple clause of the Elementary Education Act, 1870, applies, excepting that, without cost to the council, religious education may be given at the request of parents of scholars, under such conditions as the council think desirable. (Section 4 (1).)

Councils shall have regard to existing supply of efficient schools or colleges, and to any steps already taken for the purposes of higher education under the Technical Instruction Acts, 1889 and 1891. (Section 2 (2).)

Non-county boroughs or urban district councils have power as well as the county councils to spend such sums as they think fit for the purpose of supplying or aiding the supply of education other than elementary. Annual rate limited to 1d. in the pound. (Section 3.)

Any authority having powers under this Act may make arrangements with the council of any borough, district, or parish (whether local authority or not) with regard to the management of any school or college within the area of the council (section 20*a*), and school provision may be made outside the area. (Section 23 (2).)

Scholarships may be provided, and fees of students paid at schools, colleges, or hostels within or without the area. (Section 23 (2).)

#### *Evening Schools.*

Evening schools carried on under the regulations of the Board of Education are included under higher education. (Section 22 (1).)

### V.—ELEMENTARY EDUCATION.

#### *Powers and Duties as to Elementary Education.*

The local authorities have transferred to them the powers and duties of school boards and school attendance committees (Elementary Education Acts, 1870-1900), and, in addition, are responsible for the control of secular education in all public elementary schools not provided by them (section 5), and shall maintain and keep efficient all necessary public elementary schools in their respective areas, and shall control all expenditure other than that for which provision is to be made by the managers, subject to the provisions stated below, in the case of schools maintained but not provided by the local authority. (Section 7 (1).) (See under "Schools not Provided by the Local Education Authority.")

#### *Definition of Elementary Education.*

Power to provide instruction under the Elementary Education Acts, 1870-1900, except where such Acts provide to the contrary, is limited to the provision in a public elementary school under regulations of Board of Education. (Section 22 (2).)

Limits of elementary education may be exceeded with consent of Board of Education in the case of any school if no suitable higher education is available within a reasonable distance of the school. (Section 22 (2).)

*Age Limit.*

Scholars shall not be more than 16 years of age at the close of the school year. (Section 22 (2).)

*Free Education.*

The local education authority are required to provide a sufficient amount of public school accommodation without payment of fees in every part of their area. (Third Schedule, 5.)

## VI.—MANAGERS.

*Public Elementary Schools.*

Managers are to be appointed—

(a) In public elementary schools provided by the county councils, not exceeding four appointed by the council, together with not exceeding two appointed by the minor local authority—*i.e.*, the council of any borough or urban district, the parish council, or parish meeting where there is no council. (Section 6 (1).)

(b) In public elementary schools provided by borough or urban district councils such number of managers (if any) as the council may determine. (Section 6 (1).)

(c) In public elementary schools not provided by local education authority. Foundation managers,\* not exceeding

\* The foundation managers appointed by the trust deed of the school. Where provisions of trust deeds are inconsistent with this Act or insufficient or inapplicable or no such trust deed is available, the Board of Education shall make an order meeting the case. The order may be made on application of existing owners, trustees, or managers of the school within a period of three months after the passing of this Act; after that period on the application of the local education authority, or any other person interested in the management of the school. Where the order modifies the trust deed, or where there is no trust deed, the order shall have effect as if it were contained in a trust deed. Notice of application, with copy of draft final order proposed to be made, shall be given by the Board of Education to the local education authority and to existing owners, trustees, managers, etc. Final orders shall not be made until six weeks after notice has been given. Regard shall be had to the ownership of the school buildings and to the principles on which the education given in the school has been conducted in the past. An interim order may be made. The managers appointed shall be the managers of the school for the purposes of the Elementary Education Acts, 1870-1902, and so far as respects the management of the school as a public elementary school for the purpose of the trust deed. Orders may be revoked, varied, or amended by the Board of Education, but the draft of such new order shall be laid before Parliament, and within 30 days either House may resolve that the draft or any part thereof shall not be proceeded with. (See Section 11.)



four, together with a number of managers not exceeding two, appointed (*a*) where the local education authority are the council of a county—one by that council and one by the minor local authority, and (*b*) where the local education authority are the council of a borough or urban district—both by that authority. (Section 6 (2).) A woman is not disqualified either by sex or marriage for being on any body of managers. (Section 23 (6).)

Where the local education authority considers it necessary the total number of managers may be increased, but proportionally. (Section 6 (3).)

### *Grouping of Schools.*

The local authority may group, under one body of managers, their own schools, and, with the consent of the managers, schools not provided by them.

The number of managers in the case of schools provided by the local authority to be determined by that authority,\* and in the case of schools not so provided the number may be agreed upon with the managers concerned, or, in default of agreement, may be determined by the Board of Education.

Unless previously determined by consent, such grouping shall remain in force three years. (Section 12 (1) (2) (4).)

### *Endowments.*

Nothing in this Act to affect any endowment. Where income must be applied for purposes of a public elementary school, for which provision is to be made by the local education authority, the whole of the income or the part thereof, as the case may be, shall be paid to that authority.

Disputes to be settled by Board of Education after the holding of a public inquiry, if demanded.

Money so received by county council shall go in relief of the rate levied for the purpose of public elementary education. (Section 13.)

### *Schools not Provided by the Local Education Authority: Provision of Schools.*

The premises (except teachers' houses) to be provided free by the managers for public elementary day school purposes, and on three days in the week for evening school purposes when the

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\* In counties, minor authorities (*i.e.*, the council of any borough or urban district, parish council, or parish meeting where there is no council) shall have due representation on the bodies of managers of grouped schools.

local authority have no suitable accommodation in their own school. (Section 7 (1) (d) and (e).)

### *Religious Instruction.*

To be under control of managers in accordance with trust deeds, if any.

References to bishop or other superior ecclesiastical or other denominational authority, provided for in trust deed as to character of such religious instruction, are safeguarded. (Section 7 (6).)

### *Secular Instruction.*

Managers shall carry out directions of local authority as to—

- (a) Secular instruction;
- (b) Number and qualifications of teachers;
- (c) The dismissal of any teacher on educational grounds.

No directions shall be such as to interfere with reasonable facilities for religious instruction during school hours.

Local education authorities have power to inspect schools. (Section 7 (1) (a) (b).)

### *Appointment and Dismissal of Teachers in Non-provided Schools.*

Managers have exclusive power to appoint and dismiss teachers subject to consent of local authority to appointment, such consent not to be withheld except on educational grounds, and to the dismissal of teachers except on grounds connected with the giving of religious instruction. (Section 7 (1) (c) and (7).)

### *Appointment of Assistant and Pupil Teachers in Non-provided Schools.*

Assistant and pupil teachers may be appointed if it is thought fit without reference to the religious creed, etc., and where there are more candidates for places as pupil teachers than there are places to be filled, the appointments shall be made by the local authority, who shall select candidates by examination or otherwise. (Section 7 (5).)

### *Repairs, etc., and Use of Furniture and Rooms out of School Hours.*

Repairs, alterations, and improvements reasonably required by the local authority shall be provided by the managers out of funds provided by them, except that such damage as the local authority consider due to fair wear and tear in the use of any room as a public elementary school shall be made good by the local authority. (Section 7 (1) (d).)

Managers to make good any damage done to furniture out of school hours, and local authorities have the same responsibility both with regard to furniture and rooms. Managers to leave rooms in a proper condition for school purposes. (Section 7 (2).)

Furniture in use in a school before the appointed day to be at the service of the local education authority. (Second Schedule (14).)

### *Grants*

Grants may be made up to and paid to any month or other period prior to the appointed day, and in the case of a school not provided by the authority shall be paid to the former managers, and applied by them in payment of liabilities, any balance being handed over to the managers of the school appointed under the Act, to be applied by them to the purpose for which provision is to be made by those managers, or for the benefit of any general fund for such purpose, and any share of aid grant may be paid to the governing body of the association of voluntary schools. (Second Schedule (11) and (12).)

### *School Fees.*

Where, before passing of Act, fees have been charged in any public elementary school not provided by the local education authority, that authority shall, while they continue to allow fees to be charged in that school, pay such proportion of those fees as may be agreed upon, or in default of agreement determined by the Board of Education, to the managers. (Section 14.)

### *Managers, Proceedings, etc.*

Managers may choose their own chairman, except where there is an ex-officio chairman, and regulate their proceedings as they think fit, subject in the case of managers of a school provided by the authority to any directions of that authority.

Quorums shall not be less than three or one-third of whole number of managers, whichever is greater.

Chairman shall have a casting vote.

Managers of schools provided by authority shall deal with management of school subject to conditions and restrictions of authority.

Manager of school not provided by the local authority shall be removable by the authority by whom he is appointed, and any such manager may resign.

Meetings of managers at least once every three months.

Any two managers may convene a meeting.

Minutes shall be kept and be open to inspection of local authority. (First Schedule—B.)

## VII.—PROVISION OF NEW SCHOOLS.

Where the local education authority or other persons propose—

- (a) To provide a new public elementary school;
- (b) To enlarge a public elementary school, when such enlargement is such as, in the opinion of the Board of Education, to amount to the provision of a new school; or
- (c) Any transfer of a public elementary school to or from a local education authority;

they shall give public notice of their intention, and the managers of any existing school, or the local authority when they are not themselves proposing to provide the school, or any ten ratepayers (in the area) may, within three months after the notice is given, appeal to the Board of Education on the ground that the school is not required, or that a school provided by the local authority, or not so provided, is better suited to the wants of the district than the proposed school. The Board of Education without unnecessary delay shall determine in case of dispute, and shall have regard—

- (1) To the interests of secular education;
- (2) To the wishes of the parents as to the education of their children;
- (3) To the economy of the rates;

but an existing recognised public elementary school shall not be considered unnecessary in which there are 30 scholars in average attendance.

NOTE.—As to apportionment of cost of erection of new buildings by the county councils and the share which has to be met by the parish or parishes, see footnote page 9, "Expenses (c)."

Any school built (or enlarged or transferred) in contravention of the decision of the Board of Education shall be treated as unnecessary. (Sections 8 and 9.)

## VIII. TRANSFER OF OFFICERS.

Officers of school boards, etc., to be transferred to the council, and become officers of the council. The council may abolish the office of any such officer. Officers transferred hold office on same terms and receive same remuneration as before transfer.

If such officer is required to perform duties not analogous to or an unreasonable addition to those hitherto performed, or if office is abolished, such officer shall be compensated under Civil Service rules, and disputes are to be settled by H.M. Treasury.

There are other provisions regarding continuous service under different authorities, poor-law superannuation, and local pension schemes affecting officers. (Second Schedule 16-21, etc.)



## IX.—GENERAL PROVISIONS.

*Failure to Perform Duties.*

A local authority failing to perform their duties under the Education Acts, 1870 and 1902, may after public inquiry be ordered to comply, and on failure such order may be enforced by mandamus. (Section 16.)

*Transfer of Powers.*

Non-county councils and urban districts may by agreement and with approval of Board of Education hand over to the county council all their powers and duties under this Act. (Section 20 (b).)

## PART II.

# ARTICLES AND NOTES ON THE EDUCATION ACTS, 1870-1902.

WITH APPENDIX.

"POPULAR EDUCATION IN ENGLAND AND WALES DURING  
THE CENTURY."

### REFERENCES.

- Day School Code* means "Board of Education, 1902, Code of Regulations  
for Day Schools."  
*Revised Regulations* .. "Revised Instructions applicable to the Code of  
1902."  
*Report* .. "Report of the Board of Education for the year  
1901-1902."



## ARTICLES AND NOTES ON THE EDUCATION ACTS, 1870-1902.

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### **Accounts : Keeping of.**

Section 18. (2) All receipts in respect of any school maintained by a local education authority, including any Parliamentary grant, but excluding sums specially applicable for purposes for which provision is to be made by the managers, shall be paid to that authority.

(3) Separate accounts shall be kept by the council of a borough of their receipts and expenditure under this Act, and those accounts shall be made up and audited in like manner and subject to the same provisions as the accounts of a county council, and the enactments relating to the audit of those accounts, and to all matters incidental thereto and consequential thereon, including the penal provisions, shall apply in lieu of the provisions of the Municipal Corporations Act, 1882, relating to accounts and audit.

(4) Where under any local Act the expenses incurred in any borough for the purposes of the Elementary Education Acts, 1870 to 1900, are payable out of some fund or rate other than the borough fund or rate, the expenses of the council of that borough under this Act shall be payable out of that fund or rate, instead of out of the borough fund or rate.

(5) Where any receipts or payments of money under this Act are entrusted by the local education authority to any education committee established under this Act, or to the managers of any public elementary school, the accounts of those receipts and payments shall be accounts of the local education authority, but the auditor of those accounts shall have the same powers with respect to managers as he would have if the managers were officers of the local education authority.—Act of 1902.

The accounts of the local education authority are audited by Local Government Board. (See Audit.)

Accounts of school boards have been made up half-yearly to September 29th and March 25th in each year, except in small districts, where the accounts have been made up yearly to September 29th. Under the new Act the accounts of all councils will be made up to 31st March in each year.

The Minute Book forms the basis of the accounts, and all particulars of receipts and payments, including petty cash payments, should be entered in detail. (See Minute Book.) All vouchers for payments and all receipts should bear a progressive number. For teachers' salaries a form of receipt book is convenient. The books kept by school boards are Minute Book,

Cash Book, Ledger, Petty Cash Book (for payments not exceeding £5), Abstract Book for separate school accounts—Fees Book, Sales Book, and Stock and Stores Book (kept by teachers), Industrial School Account Books, and Register of Mortgages. Treasurer's Book, kept by treasurer. This is generally the bank book, specially ruled. Such supplementary books of account as may be considered necessary.

Where the finances of a school are delegated to a body of managers under sec. 15 of the Act of 1870 a separate cash book is kept by the school treasurer.

The form of all books of account is prescribed by, or must be approved by, the Local Government Board. (See Local Government Board order for keeping the accounts of school boards.)

Doubtless a new order will be shortly issued by the Local Government Board for the accounts of the education authorities.

**Age : School.**—The following are the statutory ages of school children for the purposes of the Education Acts. In some districts the school age for ordinary children only extends to 13, owing to the bye-laws not going to the full extent of 14 years allowed by the Act of 1900 [sec. 6. (1)].

|                                |                |
|--------------------------------|----------------|
| Ordinary school children ..... | 5 to 14 years. |
| Blind .....                    | 5 to 16 years. |
| Deaf .....                     | 7 to 16 years. |
| Mentally deficient* .....      | 7 to 16 years. |
| Epileptic* .....               | 7 to 16 years. |

(See also Bye-laws and Compulsion.)

**Age Limit for Purposes of Elementary Education.**—Instruction in a public elementary school is limited to scholars who, at close of school year, will not be more than 16 years of age; but local education authority may, with consent of Board of Education, extend those limits in the case of any school if no suitable higher education is available within a reasonable distance of the school. Section 22 (2), Act of 1902. See also Elementary Education, page 79.

**Agreement with Teachers.**—An agreement must be entered into between the managers of non-provided schools and their teachers. It must be in writing.

The Board of Education may refuse recognition of any teacher not so engaged (after 1st January, 1898), and after 1st April, 1900, of any principal teacher not engaged under the model form of agreement, or other not approved of by the Board. No such agreement was required in the case of teachers in board schools appointed by minute under Rule 7 of Third Schedule, Act of 1870. (This schedule is now repealed.) But as all

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\* Where suitable school provision is made by Local Authority.



teachers in provided schools will be appointed by minute of the local education authority, it is surmised that the rule still holds good.

#### FORM OF AGREEMENT FOR ENGAGEMENT OF PRINCIPAL TEACHER.

(This Agreement requires a 6d. stamp.)

MEMORANDUM OF AGREEMENT made this ..... day of ..... 19 .., between..... managers of the..... school at..... in the county of..... hereinafter called the managers of the one part, and .....<sup>(1)</sup> (hereinafter called the teacher) of the other part.

It is hereby mutually agreed as follows:

1. The teacher shall teach and serve as schoolm..... of the said school from the..... day of ..... 19 .. under the direction of the managers in accordance with the requirements of the Board of Education, and shall teach and instruct the pupil teachers of the said school for the times and in the various subjects required by the regulations for the time being of the Board of Education.

2. The managers shall pay to the teacher for his services as teacher of the school the sum of £..... per annum, by .....<sup>(2)</sup> payments on the..... day of....., the..... day of....., and the..... day of....., commencing with the..... day of..... next, and shall also make to him (or her) the following further payments <sup>(3)</sup>, viz:

The sum of £..... per annum for each pupil teacher for the instruction of the same, such payment to be made <sup>(2)</sup>..... on the aforesaid days.

3. The teacher <sup>(4)</sup>, so long as.....<sup>(5)</sup> shall be teacher of the school, shall have the use and enjoyment of the teacher's house with its appurtenances, and the managers shall keep the same in good and substantial repair, and shall pay all rates and charges thereon.

4. The holidays of the school shall not be less than..... weeks in each year, to be appointed from time to time by the managers.

5. This agreement may be terminated at any time by either of the parties hereto, on giving to the other of them any three calendar months' previous notice in writing to that effect, and, if such notice be given by the managers, it shall be given in accordance with the decision of a meeting called for the special purpose, and of which every manager shall have had due notice.

6. On the termination of this agreement, from whatever cause, the teacher shall receive a proportionate share of the aforesaid remuneration calculated up to the day of such termination.

7. <sup>(4)</sup> On the termination of this agreement, from whatever cause, the teacher shall quit and deliver up possession of the school-house and premises occupied by him, and in default thereof shall forfeit and pay to the managers the sum of.....

<sup>1</sup> Name of schoolmaster or schoolmistress. <sup>2</sup> Quarterly or monthly.

<sup>3</sup> As it may be agreed. <sup>4</sup> If there is a teacher's house. <sup>5</sup> He or she.

for each day during which the house and premises shall be held over in the nature of a house rent, accruing from day to day, and recoverable as rent in arrear, by distress or otherwise.

As witness the hands of the parties hereto the day and year first above written.

|           |   |       |                    |       |
|-----------|---|-------|--------------------|-------|
| Managers. | { | ..... | In the presence of | ..... |
|           |   | ..... | In the presence of | ..... |
|           |   | ..... | In the presence of | ..... |
|           |   | ..... | Teacher.           |       |
|           |   |       | In the presence of | ..... |

N.B.—In order to satisfy Article 81 of the Code—

1. The managers and not the teacher must be responsible for the expenses incurred on account of repairs, cleaning, firing, and the purchase of books and apparatus.
2. The staff must be engaged and paid by the managers.
3. All moneys received must pass through the hands of the treasurer.
4. The teacher must not receive the residue of the school income after all expenses are paid.

This model form of agreement is given in Schedule VI. of the Day School Code.

**Agriculture: Instruction in.**—A considerable number of technical instruction authorities have applied funds to the promotion of instruction in agriculture, horticulture, dairy work, and associated industries.

The Act of 1899 gave authority for the transfer to the Board of Education of the powers of the Board of Agriculture relating to education, and a deputation of the Agricultural Education Committee, which waited on the Lord President on 26th January, 1900, urged that this proposal should be carried out, and that the Board should appoint a staff of inspectors well acquainted with the needs of the agricultural classes and the conditions of country life: also that special teachers should have inducements given them for imparting to the scholars of rural schools instruction in agriculture and horticulture, such instruction to be compulsory after a certain date. That with regard to higher agricultural instruction the Board of Education should encourage those county authorities who have not already done so to provide or to contribute to school and experimental farms, and should inspect and report annually on such farms. That in rural evening schools special attention should be given to natural history, botany, and other sciences bearing on agriculture, horticulture, bee and poultry keeping, land measuring, farm accounts, etc. That it should be the duty of every county organisation outside London and the county boroughs to organise such schools throughout their county, to supplement the grants, and to supply and pay qualified teachers.

## NOTES ON THE EDUCATION ACTS, 1870-1902.

A circular was issued by the Board of Education in April, 1900, regarding the curriculum of rural schools, and special schemes of instruction for such schools have been issued.

See also Report, Board of Agriculture (Cd. 1,242), 1901-1902.

### Aid Grants.

Sec. 10.—(1) In lieu of the grants under the Voluntary Schools Act, 1897, and under section ninety-seven of the Elementary Education Act, 1870, as amended by the Elementary Education Act, 1897, there shall be annually paid to every local education authority, out of moneys provided by Parliament—

- (a) A sum equal to four shillings per scholar; and
- (b) An additional sum of three halfpence per scholar for every complete twopence per scholar by which the amount which would be produced by a penny rate on the area of the authority falls short of ten shillings a scholar; provided that in estimating the produce of a penny rate in the area of a local education authority not being a county borough the rate shall be calculated upon the county rate basis, which, in cases where part only of a parish is situated in the area of the local education authority, shall be apportioned in such manner as the Board of Education think just.

But if in any year the total amount of Parliamentary grants payable to a local education authority would make the amount payable out of other sources by that authority on account of their expenses under this part of this Act less than the amount which would be produced by a rate of threepence in the pound, the Parliamentary grants shall be decreased, and the amount payable out of other sources shall be increased by a sum equal in each case to half the difference.

(2) For the purposes of this section the number of scholars shall be taken to be the number of scholars in average attendance, as computed by the Board of Education, in public elementary schools maintained by the authority.—Act of 1902.

On the submission of the Government proposals as to aid grant (Clause 10 (1) (a) (b) (2) of the Act),

Mr. Balfour said: "I do not think that it will be necessary for me to make any long statement in explanation of the altered clause. There are, broadly speaking, two changes. The one consists in a considerable increase in the amount which is given by the Exchequer; the other is a change—not of vital or fundamental importance, but still a useful change—in the mode in which the money is allocated. I have already made a statement as to the advantages of dividing the money into two portions, one giving a fixed sum per child of the population of the whole kingdom, and the other making allocations to different portions of the kingdom, on a basis varying with the wealth or poverty of the various districts concerned. I, on that subject, will only say that we have maintained that basis unaltered, except that my right hon. friend, the Chancellor of the Exchequer, has found it possible to increase the sum which the Government estimated as a maximum of somewhere about £900,000 a year.

Roughly, we have been able to add to that a sum which, if every locality complies with the conditions under which the grant can be conferred upon them, will amount to about £400,000 a year more, so that there will be a total benefit to the local ratepayers of about £1,300,000 a year. That is the largest change in the clause, and I think it is one which will be universally satisfactory. The other change refers to the limitation based on the threepenny rate, and I think that will also prove satisfactory on the whole. The Government thought at first that a threepenny rate would be universal, or nearly universal; but, on closer examination, we found that there were more places than we supposed in which it will not be necessary to raise a threepenny rate. No blame attaches to the Government for that miscalculation, and no inconvenience has been caused to the Committee. I shall accordingly ask the Committee to consider a further amendment. The general proposition I wish to advance is this: that under the clause as it now stands we give a larger sum than we gave before, and also render the limitation principle more generous in its operations."

On a request for the exact terms of the modification,

Mr. Balfour said: "My explanation is probably simpler than the terms of the amendment. It is this, if any place raises less than a threepenny rate, its grant from the Exchequer will be *pro tanto* diminished."—(Commons, 17th November, 1902.)

A couple of concrete cases will best illustrate the working of the new aid grant.

1. Manchester, where no necessitous grant has been received, there being 93,978 children in average attendance at all schools.

(a) 93,978 at 4s. per scholar ..... £18,795

(b) Taking the rateable value of Manchester as producing £13,500 on a penny rate, and dividing this amount by 93,978, we get 2s. 10½d. per scholar, and this falls short of 10s. per scholar by 7s. 1½d., or, say, 43 twopences; then as the grant is calculated by 1½d. for every such twopence, we arrive at 5s. 4½d. per scholar, which, on average attendance of 93,978 children, yields    25,257

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£44,052

But this is not all profit, because the present aid grant of 5s. 9d. (rate for urban districts) is withdrawn from the non-provided schools, so we must deduct the product of 5s. 9d. per head on 47,765 present average attendance in voluntary schools .....

13,732

---

Net gain to Manchester, and a set-off against the cost of financing the voluntary schools... £30,320

2. Leeds, where a grant has been received hitherto under the Necessitous School Board provision of the Act of 1897, there being 70,000 children in average attendance at all schools.

(a) 70,000 at 4s. per scholar..... £14,000

(b) Taking the rateable value of Leeds as producing £7,000 on a penny rate, and dividing this amount by 70,000, we get 2s. per scholar, and this falls short of 10s. per scholar by 8s., or, say, 48 twopences; then as the grant is calculated by 1½d. for every such twopence, we arrive at 6s. per scholar, which, on an average attendance of 70,000 children, yields ..... 21,000

£35,000

Deduct present aid grant of 5s. 9d. per head on average attendance of voluntary schools ..... £5,100

And amount received under the Necessitous School Board provision of the Act of 1897 ..... 7,900

13,000

Net gain.....£22,000

### Appointed Day.

Sec. 27.—(2) This Act shall, except as expressly provided, come into operation on the appointed day, and the appointed day shall be the twenty-sixth day of March nineteen hundred and three, or such other day, not being more than eighteen months later, as the Board of Education may appoint, and different days may be appointed for different purposes and for different provisions of this Act, and for different councils.

(3) The period during which local authorities may, under the Education Act, 1901, as renewed by the Education Act, 1901, (Renewal) Act, 1902, empower School Boards to carry on the work of the schools and classes to which those Acts relate shall be extended to the appointed day, and in the case of London to the twenty-sixth day of March nineteen hundred and four.—Act of 1902.

There are to be no further elections of school boards, and where before the appointed day an election of a school board would become due the powers of the existing school board are by the second schedule (10) extended to the "appointed day."

**Appointment and Dismissal of Teachers.**—On the discussion of Clause 7 (1), and in reply to a request from Sir William Harcourt (Committee, 21st October, 1902), for a statement as to where the words were to be found by which the managers were given the positive right to appoint the teachers,



Sir Robert Finlay said: "It is clearly implied. If we say that the consent of the local authority should be required to the appointment of the teachers, who else, by any possibility, can appoint except the managers?"

On the discussion of Clause 7 (1) (c) (Committee, 28th October, 1902), and an amendment to insert after "teachers" the words "by the managers," it was said that there was nothing in the Bill which transferred to the managers the right (enjoyed under trust deeds in some cases by the incumbent) to appoint the teacher; and it was asked was the education authority, in point of fact, to have any real voice in the appointment of teachers.

Mr. Balfour said: "The appointment of the teachers would lie with the managers, and with the managers as a whole, acting in their corporate capacity, and, therefore, there could be no difference of opinion between the Government and the mover of the amendment on that point."

**APPOINTMENT OF ASSISTANT AND PUPIL TEACHERS IN NON-PROVIDED SCHOOLS.**—On the discussion of Clause 7 (1) (c) (Committee, 28th October, 1902), and concerning an amendment to provide that, notwithstanding anything in the trust deed of a non-provided school, assistant and pupil teachers might be appointed without reference to creed or denomination,

Sir William Anson said: "If the trust deed required that the teachers should be members of any particular denomination, then the managers could appoint, under this amendment, teachers from any denomination they liked."

Replying to a question asked in the House of Commons, on 31st October, as to "whether, when a vacancy arises in a pupil teachership in a voluntary school, the managers will be under any obligation to make any public notification of such vacancy,"

Sir William Anson said: "It will be in the power of the local education authority to give directions on the subject."

### **Arrangements between Councils.**

20. An authority having powers under this Act—

- (a) May make arrangements with the council of any county, borough, district, or parish, whether a local education authority or not, for the exercise by the council, on such terms and subject to such conditions as may be agreed on, of any powers of the authority in respect of the management of any school or college within the area of the council; and
- (b) If the authority is the council of a non-county borough or urban district, may, at any time after the passing of this Act, by agreement with the council of the county, and with the approval of the Board of Education, relinquish in favour of the council of the county any of their powers and duties under this Act, and in that case the powers and duties of the authority so relinquished shall cease, and the area of the authority, if the powers and duties relinquished include powers as to elementary education, shall as respects those powers be part of the area of the county council.—Act of 1902.

This section will enable arrangements being made to meet the objection raised to the Act of 1902, that there is an unnecessary multiplication of authorities, particularly in the areas of the administrative counties, seeing that it enables the non-county borough councils and urban district councils to amalgamate with the county councils so far as the local administration of education is concerned. It also enables arrangements to be made with the councils of county boroughs with regard to particular schools, etc., supplying the needs of a given area.

Section 52 of the Act of 1870 enables school boards, with the sanction of the Board of Education, to combine together for the keeping of efficient schools, common to such districts. Provision is made for the appointment of joint managers and the sharing of expenses.

**Assessment of Schools.**—See Rating of Schools.

**Assistant Teachers.**—See Staffing of Schools, page 255, and Teachers, page 269.

**Attendance Officers.**—Under Section 36 of the Act of 1870 the local education authority "may, if they think fit, appoint an officer or officers to enforce any bye-laws under this Act with reference to the attendance of children at school," and also to deal with children under the Industrial Schools Act.

School attendance officers are, of course, an absolute necessity. The number of such officers depends on the nature of the district. In towns it will be found that an officer is required for about two thousand children. With such a number prompt visitation of absentees is possible. In rural districts, where the population is scattered, allowance must be made for the greater distances between the houses.

The duties of such officers will mainly consist of visitation of absentees, bringing defaulters before the committee of the authority, dealing with compulsory attendance, and of police court procedure. (For Specimen Forms see page 549.)

Great advantage is found in providing suitable uniform for the school attendance officers. The uniform will, on the average, cost for each man about £6 per annum, and should consist at least of a tunic (supplied once a year), trousers (twice a year), and an overcoat (every two years). A mackintosh and boots would be a reasonable addition. The salaries of school attendance officers vary from £65 to £120 per annum.

In areas there should be superintendents, whose salaries vary from £150 to £400 per annum, and the superintendent should be assisted by inspectors whose salaries range from £120 to £150 per annum.

Local authorities will find it true economy to appoint an ample and adequately paid staff of school attendance officers. Nothing is so detrimental to elementary education as the irregular attendance of children.

See Compulsory School Attendance, page 57; Employment of Children, page 80; and Police Court Procedure, page 190.

**Attendance: School.**—A school attendance is defined by the Day School Code (Art. 12, 13, and 14).\*

\* 12. "An attendance" means attendance at secular instruction—

- (a) During one hour and a half in the case of a scholar in a school or class for infants;
- (b) During two hours in the case of a scholar in a school or class for older children; and during one hour and twenty minutes in the case of a half-time scholar. The attendance of a half-time scholar for less than two consecutive hours is not recognised, but such two consecutive hours are reckoned as an attendance and a half.

A separate register must be kept for half-time scholars; and the certificate of the Inspector shall be conclusive proof of the number of attendances made by half-time scholars.

- (c) The marking of the registers for the afternoon meeting may not, without the special consent of the Board, commence within an hour of the close of the morning meeting.
- (d) The class registers must be marked and finally closed before the minimum time constituting an attendance begins. If any scholar entered in the register as attending is withdrawn from school before the time constituting an attendance is complete, the entry of attendance should be at once cancelled.
- (e) The minimum time constituting an attendance may include an interval for recreation of not more than 15 minutes in a meeting of three hours and not more than 10 minutes in a shorter meeting. A meeting of two hours or more must include an interval for recreation of not less than 10 minutes.
- (f) In making up the minimum time constituting an attendance there may be reckoned time occupied by instruction in any of the following subjects, whether or not it is given in the school premises or by the ordinary teachers of the school, provided that special and appropriate provision approved by the inspector is made for such instruction, and the times for giving it are entered in the approved time table:—

Drawing.

Manual Instruction.

Science.

Physical Training.

Cottage Gardening.

Domestic Economy, Practical Cookery, Laundry Work, Dairy Work, Practical Housewifery.

Any other subject specially recognised by the Board for the purposes of this article.

- (g) (i.) Visits paid during the school hours under proper guidance to museums, art galleries, and other places of educational value, or of national or historical interest, may

The following is the return of attendance of children in public elementary schools in England and Wales, given in the report of the Board of Education, for the year ended 31st August, 1901:—

|                | Number of schools. | Number of departments. | Accommodation. | Number of scholars on the registers (3 years old and upwards) on the last day of school year. | Actual average attendance recognised (Art. 13). |
|----------------|--------------------|------------------------|----------------|---|---|
| Voluntary .... | 14,319             | 20,458                 | 3,729,261      | 3,054,709   | 2,492,536                                       |
| Board .....    | 5,797              | 10,820                 | 2,881,155      | 2,703,434   | 2,239,375                                       |
| Total.....     | 20,116             | 31,278                 | 6,610,416      | 5,758,143   | 4,731,911                                       |

Of the 5,758,143 children on the school rolls there were in 1901 1,829,348 between the ages of 3 and 7 years, 3,625,234 between 7 and 13, 250,126 between 13 and 14, and 53,435 over 14.

be reckoned as attendances in accordance with sections (a) and (b) of this article, provided that not more than twenty such attendances may be claimed for any one scholar in the same school year, and that the places to be visited and the arrangements for such visits are approved by the inspector.

- (ii.) Attendances at a central examination conducted by managers of schools may be reckoned as attendances in accordance with sections (a) and (b) of this article, provided that the arrangements for such examination are previously approved by the inspector.
- (h) In making up the minimum time constituting an attendance there may be reckoned time occupied in attending at a training college or central class for pupil teachers for the purpose of model or criticism lessons.

13. No attendance is, as a rule, recognised for any scholars under three years of age, or for any scholar who has been under instruction for more than one year in the three elementary subjects in Standard VII. and is upwards of 14 years of age,\* or for any scholar while habitually employed as a monitor.

From and after 1st of April, 1903, no attendance may be reckoned for any scholar under three or over 15 years of age,\* or for any scholar while habitually employed as a monitor.

14. The "average attendance" for any period is found by dividing the total number of "attendances" made during that period by the number of times for which the school has met during such period.

\* These ages will now need modification, in that Sec. 22 (2), Act of 1902, recognises attendance in a public elementary school up to the close of the school year in which a scholar will not be more than 16 years of age.



Whilst the number of older scholars (children over 7) showed an increase for the year of 82,337 for the year, the number of infants had decreased by 7,171. This may be perhaps accounted for by a somewhat diminished birth-rate in some districts, which has recently been apparent.

For every 100 on the register the average attendance was 82·17 for England and Wales. The need of improvement in the regularity of attendance is shown by the fact that whilst in some districts the percentage of average attendance is as low as 73 per cent, there are other places where it rises as high as 89 per cent.

The following is a recent return of school attendance in Manchester, showing the ages of children on the rolls of the Board Schools at November 29th, 1902.

|                                  |     | Under 3. | Between 3 and 4. | Between 4 and 5. | Between 5 and 6. | Between 6 and 7. | Between 7 and 8. | Between 8 and 9. | Between 9 and 10. | Between 10 and 11. | Between 11 and 12. | Between 12 and 13. | Between 13 and 14. | Between 14 and 15. | 15 and over. | Total. |
|----------------------------------|-----|----------|------------------|------------------|------------------|------------------|------------------|------------------|-------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------|--------|
| Numbers at the various ages.     | 13  | 1407     | 2841             | 4824             | 5449             | 5007             | 5369             | 5532             | 5696              | 5504               | 5522               | 3800               | 761                | 250                | 51975        |        |
| Percentages at the various ages. | ·02 | 2·70     | 5·46             | 9·28             | 10·48            | 9·63             | 10·32            | 10·64            | 10·95             | 10·58              | 10·62              | 7·31               | 1·07               | ·48                | ..           |        |
| Percentages in September, 1897.  | ·05 | 2·94     | 6·28             | 9·26             | 10·15            | 10·43            | 10·52            | 11·52            | 11·52             | 11·52              | 10·22              | 3·95               | 1·28               | ·36                | ..           |        |

For Monthly Returns of School Attendance see page 555.

See Compulsory School Attendance, page 57.

The revised instructions contain the following references to attendances:—

Article 12 defines “attendance.” It is important to note that the article requires that the minimum time constituting an attendance begins when the registers have been marked. An erroneous notion prevails that the time for registration may be included in the minimum time for secular instruction.

Article 12 supplies a rule for cases in which the managers wish the afternoon meeting of the school to follow the morning meeting after a short interval. This proceeding is generally very undesirable, but special cases may occur, such as those of country schools in the north during the winter, where there is good reason for adopting the expedient. Where managers desire to shorten the minimum interval of one hour they must, as the article directs, make special application to the Board.



Article 12 (g) (i.) permits visits to museums, etc., during school hours to be counted as part of the minimum time constituting an attendance at school if the approval of the inspector has been obtained. This cannot be given unless it is clear that the object of the expedition is educational and not merely recreative. A test of the value of this variation in the ordinary routine of school work is afforded by requiring the scholars to give an account of their visit.

Article 12 (g) (ii.) allows attendances at central examinations, but these do not include examinations for labour certificates.

**Audit.**—The accounts will be made up to 31st March in each year. A period varying from two months to two weeks, according to population of district, has been allowed school boards for the making up of their accounts.

After notice from auditor, the authority will give fourteen days' notice of time and place of audit, and for seven clear days before the audit all the books and accounts must be open for inspection during office hours, and any person may take copies, without charge. Any ratepayer or owner of property in district may attend audit, and raise objections to accounts, and may appeal against auditor's decision.

Auditor can call for any book, document, etc., he may require, order the attendance of any person concerned, and require the signing of a declaration regarding the correctness of any matter concerning the accounts.

The auditor will disallow illegal payments and surcharge members who have signed cheques for the same, or, in case of petty cash payments, the officer responsible for keeping such accounts, and will, when required, give his reason in writing. He will also deal with all items that should be brought into account, whether of receipts or expenditure, and certify accordingly.

By the Local Authorities Expenses Act, 1887, the Local Government Board may, on application, relieve members, etc., who have incurred illegal expenditure, from liability to surcharge, but the Board will not sanction prospective or recurring expenditure.

Appeals against auditor's surcharges can be made to the Court of King's Bench, but are generally made to the Local Government Board, which has power to uphold or annul the surcharge, and in the former case to remit the same.

At the conclusion of the audit the auditor gives his certificate, and an abstract of the account is published.

See Local Government Act, 1888, section 71, and Public Health Act, 1875, sections 247 and 250.

Under the District Auditors Act, 1879, school boards have been required to pay for the audit by affixing an Inland Revenue

stamp to the account, the value according to the scale given in the Act. Expenditure out of loan money is not counted. The following is the scale: For expenditure under £20, 5s.; £20 and under £50, 10s.; £50 and under £100, £1; £100 and under £500, £2; £500 and under £1,000, £3; £1,000 and under £2,500, £4; £2,500 and under £5,000, £5; £5,000 and under £10,000, £10; £10,000 and under £20,000, £15; £20,000 and under £50,000, £20; £50,000 and under £100,000, £30; £100,000 and upwards, £50.

**Banks: School Savings.**—See School Savings Banks.

**Baths: Swimming.**—A few of the school boards have built schools with swimming baths attached. In many towns ample provision of such baths is provided by the municipal authorities for general use, and as such baths are not in great request during school hours it is an admirable arrangement to allow the school children the use of the same either without payment or at a reduced charge. Children may thus be taught the art of swimming. In Manchester, the free use is granted of Corporation second-class swimming baths in the different districts of the city, provided the children are accompanied by their teachers, and the needs of nearly all the public elementary schools are fairly well met. The following are the Manchester regulations:—

*Free Bathing of School Children.*

The Baths Committee are prepared to admit scholars over the age of seven years free into the second-class swimming baths only, and provide the required towels and bathing drawers, any week-day except Saturday, if in charge of a teacher or master. Those in charge are to be held responsible for the orderly conduct of the scholars whilst using the bath, and must remain, so as to have the scholars in their view until they leave.

Under no circumstances can scholars be allowed to use the baths free of charge unless under the direct and continued control of a teacher.

The above regulations will be in operation from April 1st to September 30th between 6 a.m. and 4-30 p.m., and from October 2nd to March 31st between 9 a.m. and 4-30 p.m.

Those scholars using the baths unaccompanied by a teacher, or at times other than those named, can do so at a charge of one penny to the first-class and a halfpenny to the second-class swimming bath upon presentation at the ticket office window of the various baths of a pass or token ticket, which tickets will be supplied to any school free of charge upon application at any of the Manchester baths.

The times during which token tickets may be used are as follow:—From time of opening until 5-30 p.m. each week-day with the exception of Saturday, and on Saturday until 12 noon.

The Baths Committee would particularly draw the attention of managers of public elementary schools to the permission given by the Education Department for scholars to leave their classes during school hours for the purpose of visiting swimming baths.—Article 12 (f) of the Day School Code, 1898. (See Attendance School, page 30.)

**Blind and Deaf Children.**—The Act of 1893 makes it the duty of the local education authority to provide elementary education for blind and deaf children. The compulsory school age for blind children is 5 to 16 years, and for deaf children 7 to 16 years. Ample powers are given for suitable provision in day or residential schools, either aided or provided by the authority. Many certified schools are under voluntary management. Local authorities may contribute two-thirds of the cost of boarding and educating the children in aided institutions, or bear the whole cost in schools of their own provision.

There are distinct advantages in sending the children to residential schools. This plan is adopted in Manchester, and we send the children to schools of their own religious denomination. Out of a population of 540,000 we now pay for 30 blind children (16 boys and 14 girls), and 60 deaf children (38 boys and 22 girls). The cost is £20 6s. 8d. per annum for each child. The total annual gross cost to the rates is £1,875, and we receive from the parents about £300, so that the net cost to the rates for the 90 blind or deaf children is about £1,575 per annum.

For provisions see "The Elementary Education (Blind and Deaf Children) Act, 1893," page 429. Grants, page 111. Gross cost of maintenance per head—Day classes, blind, £6 12s. 4d.; deaf, £12 8s.; boarding schools, £20 to £30 per annum.

The Board of Education state—

"The administration of the Elementary Education (Blind and Deaf Children) Act, 1893, now proceeds upon established lines. During the year ended 31st August, 1901, certificates were issued to 40 schools for blind children, and 63 schools for deaf children. The corresponding figures for the previous year were 40 and 62. The accommodation provided has increased from 1,815 to 1,831 for blind children, and from 3,586 to 3,665 for deaf children. The numbers on the books of these schools have risen in the case of blind scholars from 1,463 to 1,488, an increase of 25, and in the case of deaf scholars from 2,794 to 2,807, an increase of 13. The number of those qualified for grants under the minute of the 2nd of April, 1894, has increased from 1,525 to 1,640 blind, and from 3,092 to 3,236 deaf scholars; and the total grants paid for the year, under the minute, amounted to £20,112 9s. 9d., an increase of £276 8s. 3d. over the total grants for the previous year. The number of blind children boarded out under the superintendence of recognised committees has increased from 25 to 37, but that of deaf children has decreased from 119 to 96. This decrease is to be regretted, and we should gladly see the wholesome practice of boarding-out further extended."\*—Report, 1901-2, page 38.

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\* Regulations for boarding-out were issued by Board of Education 22nd April, 1895.

**Board of Education.**—The Board of Education charged with the superintendence of matters relating to education in England and Wales was established by the Act of 1899, and took the place of the Education Department, including the Department of Science and Art.

The Board consists of the following members:—

The President.

The Lord President of the Council (unless President of the Board).

The Principal Secretaries of State.

The First Commissioner of His Majesty's Treasury.

The Chancellor of the Exchequer.

There is a Parliamentary Secretary. The Permanent Secretary is Mr. R. L. Morant, C.B., whose official address is the Board of Education, Whitehall, London, S.W.

Consultative Committee.—See page 61.

For Inquiry by Inspectors of the Board of Education see sections 71 and 73 of the Act of 1870; and also see Public Inquiry, page 199.

A report of the Board of Education is laid annually before both Houses of Parliament. (Sec. 100, Act of 1870.)

The Report for 1902 states—

In order to economise time and expense, and in order at the same time to present the records of our administration in a better arranged and more easily accessible form, we have this year remodelled our whole system of publication. This report is in a single volume. At the end (Appendix C, pp. 124-5) will be found a complete list of the various volumes presented by the board to Parliament since the date of last year's report. These volumes contain the greater part of the matter which in previous years appeared in the second and third volumes of our report, together with other matter which has previously appeared in other volumes issued from time to time during the year. The whole of this material has been rearranged and remodelled; and this report now concludes the record of our administration for the year. . . . The organisation of the board, pending the further legislation which is now under the consideration of Parliament, has not been changed, beyond what has from time to time been required in order to meet actual and immediate requirements; and it would be premature at present either to indicate the provisional alterations which have been made or to enter upon the question of such further reorganisation as may be called for in future.

The expenditure of the Board of Education during the financial year 1901-2 amounted to £9,753,107, as against £9,504,499 in the previous financial year, these sums being made up as follows:



|  | 1901-2.   |            | 1900-1.   |            |
|--|-----------|------------|-----------|------------|
|  | £         | £          | £         | £          |
| <i>Administration—</i>   |           |            |           |            |
| Cost of the Central Offices (including Organisation of Districts) .....                              | ...       | 141,616    | ...       | 134,336    |
| <i>Inspection and Examination—</i>   |           |            |           |            |
| Cost of Inspection of Schools—   |           |            |           |            |
| Elementary .....   | 209,597   |            | 209,687   |            |
| Non-Elementary .....   | 39,488    |            | 41,877    |            |
|  |           | 249,085    |           | 251,564    |
| <i>Elementary Schools—</i>   |           |            |           |            |
| Annual Grants to Day Schools*  | 5,143,741 |            | 5,000,618 |            |
| Fee Grants to Day Schools ...  | 2,415,801 |            | 2,330,228 |            |
| Annual Grants to Evening Schools (including Drawing Grants) .....                                    | 211,523   |            | 200,585   |            |
| Annual Grants to Schools for Blind, Deaf, Defective, and Epileptic Children .....                    | 30,444    |            | 20,581    |            |
| Grants to School Boards under Sec. 97, E.E.A., 1870, as amended by E.E.A., 1897 ...                  | 213,750   |            | 219,944   |            |
| Aid Grants to Voluntary Elementary Schools .....   | 618,233   |            | 624,223   |            |
| Pensions to Teachers .....   | 55,493    |            | 49,299    |            |
|  |           | 8,688,985  |           | 8,445,478  |
| <i>Training Colleges—</i>  |           |            |           |            |
| Annual Grants to Training Colleges .....   | ...       | 223,554    | ...       | 208,351    |
| <i>Schools of Science and Art—</i>   |           |            |           |            |
| Annual Grants to Science and Art Schools and Classes .....   | ...       | 307,975    | ...       | 303,095    |
| <i>Royal College of Science—</i>   | ...       | 21,507     | ...       | 21,419     |
| <i>Royal College of Art—</i>   | ...       | 11,267     | ...       | 10,480     |
| <i>Museums and Circulation—</i>  |           |            |           |            |
| Victoria and Albert Museum (including Bethnal Green Museum) and Circulation ...                      | ...       | 57,315     | ...       | 59,430     |
| <i>Works and Furniture—</i>  |           |            |           |            |
| Works and Furniture at Victoria and Albert Museum and at the Royal Colleges of Science and Art ..... | ...       | 28,734     | ...       | 31,978     |
| <i>Geological Museum—</i>  | ...       | 3,443      | ...       | 3,691      |
| <i>Geological Survey—</i>  | ...       | 17,126     | ...       | 17,106     |
| <i>Grants in Aid—</i>  |           |            |           |            |
| Solar Physics Committee .....  | 1,000     |            | 1,000     |            |
| Purchases for Local Museums..  | 1,500     |            | 1,000     |            |
| Technical Instruction, Ireland..   | ...       |            | 3,044     |            |
| Edinburgh Museum of Science and Art .....  | ...       |            | 12,527    |            |
|  |           | 2,500      |           | 17,571     |
|  |           | £9,753,107 |           | £9,504,499 |

\* This sum includes payments amounting to £1,115 in all, made to certain schools other than public elementary schools, in respect of Drawing and Manual Instruction.



### **Boarding Schools: Schools Attached to Institutions.**

15. The local education authority may maintain as a public elementary school under the provisions of this Act, but shall not be required so to maintain any marine school, or any school which is part of or is held in the premises of any institution in which children are boarded, but their refusal to maintain such a school shall not render the school incapable of receiving a Parliamentary grant, nor shall the school, if not so maintained, be subject to the provisions of this Act as to the appointment of managers or as to control by the local education authority.—Act of 1902.

This section enables the Parliamentary grant for public elementary schools to be continued to orphanages and institutions which have hitherto received such grant, having been recognised as public elementary schools under Government inspection.

**Books, Apparatus, and Stationery.**—The local education authorities have a free choice in the selection of the books for secular instruction, apparatus, and stationery used in the schools.\* It has been the general practice of school boards to prepare a list of approved books and school materials for the guidance of their managers and teachers. The revised instructions contain the following valuable remarks on school books:—

“The term ‘elementary subjects’ now includes not merely reading, writing, and arithmetic, but such elementary knowledge as may be acquired by the use of these subjects. The object therefore of teaching reading should be remembered, and children should be taught as soon as possible to read for themselves.

“The mechanical difficulties of reading, which are to be found in the shorter words of irregular spelling, should be mastered by the time a child has been under instruction in a school for older scholars during two complete years, but even in earlier stages of progress an attempt should be made to teach children to read in a natural tone, and to break up sentences rather into phrases than into single words.

“In all classes the greatest importance should be attached to the right method of breathing, distinctness of articulation and clear utterance; the sounds produced, especially the final con-

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\* On the discussion of Clause 7 (1) (Committee, 21st October, 1902), and replying to an objection to local authority having absolute choice of text books and power of imposing them upon a denomination,

Mr. Balfour said “he thought the hon. member must have intended to irritate the religious susceptibilities of those who thought the education authority was capable of using historical books intended only for secular instruction without consulting the convictions of the managers of schools. For his part, the education authority ought to have the choice of books. He was perfectly convinced that there was no education authority in the country which would behave in such an outrageous manner as that feared by his right hon. friend.”

sonants, should be made distinctly audible by a free use of all the organs of speech. Simultaneous reading aloud, if habitually practised, is mischievous, as tending to distract the teacher's attention from the pronunciation of individual children, and to induce an unnatural intonation among the scholars. Scholars should be encouraged to read passages in a natural voice, and with such natural emphasis as they would use in ordinary speech.

"Variety in the books read should be studied. School periodicals may be found useful in widening general knowledge, and in giving an interest in the ordinary affairs of life and in current events. The reading of good lyrical poetry will also be found to be of special value in the higher standards. Recitation should be a frequent and regular exercise, and should not be restricted to a specified number of lines. A judicious choice of a variety of suitable passages from great poets will be more interesting and instructive than the continual repetition of the same passage throughout the year. The scholars will not, of course, be expected to remember accurately any poems except those which they are studying at the time.

"In some good schools the aid of the parents has been successfully enlisted, and they have been urged to hear their children read aloud from a newspaper or from a book for a few minutes at home every day. The amount of oral practice which any one child can obtain in a large class is obviously insufficient; and a little home exercise in reading aloud is often found to have an excellent effect.

"Reading circles or classes, with the object of keeping up and guiding children in the habit of reading after they have left school, may also be usefully encouraged by managers and teachers.

"The officers of the Board of Education are not at liberty to prescribe or to recommend particular books, apparatus, or school requisites for use in schools. But the inspector may, with the concurrence of the chief inspector of his division, disallow the use of any books which are plainly unsuitable, or which do not conform to the requirements of the Code as interpreted by these instructions."

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A liberal allowance for the cost of books, apparatus, and stationery in public elementary schools is 3s. per annum for each child in average attendance. The actual cost in the country last year was 3s. 5½d., and in the Manchester Board Schools 2s. 7¼d. London 4s. 1½d. (Apparatus of the nature of furniture is excluded from these examples of cost.)

Economy is secured by supplying the schools with everything, except printed books, from a central store. It is a wise plan to obtain reading and other printed books from the booksellers in such quantities as are required by the schools on each requisi-

tion. There is a serious risk in stocking books in large quantities, but this need not be the case with stationery. The store department of the Manchester School Board is worked at a charge of less than 10 per cent on the turnover. (Requisition Form, page 559.)

**Borrowing Powers.**—See Loans. Page 152.

**Boroughs.**—See Local Education Authorities. Page 157.

**British Schools.**—British schools were formerly schools carried on in connection with the British and Foreign Schools Society. The name is one now commonly adopted for voluntary schools of an undenominational character, where, whilst Bible instruction forms the basis of the religious teaching, the scholars are enjoined to attend the places of worship of the religious denominations to which their parents belong.

The British and Foreign Schools Society was established in 1808 in connection with the educational work of Joseph Lancaster.

**Buildings: School.**—See School Planning. Page 239.

**Building Grants.**—The first State aid to elementary education in England took the shape of a grant for buildings; this was in 1833, when there was a vote of £20,000.

These building grants to denominational schools were brought to an end by the Act of 1870, voluntary schools being allowed to apply for the grant up to the end of the school year; no later applications were entertained.

The total amount of money given to voluntary schools by the State in the shape of building grants, 1833 to 1882, when the last grants were paid, amounted to £1,766,854.

**Bye-laws.**—By the Act of 1870 school boards could make bye-laws dealing with the compulsory school attendance of children between the ages of 5 and 13. (See page 57.)

By the Act of 1876 school attendance committees, without power to provide schools, were established and dealt more or less efficiently with school attendance in districts where there were no school boards. It was not, however, until the passing of the Act of 1880 that school boards and school attendance committees were compelled to make bye-laws, and compulsion became universal.

The most notable changes affecting school attendance have been the bringing up of the age of half-timers to twelve years of age by the Act of 1899, with which the name of Mr. W. S. Robson, K.C., will always be most honourably associated, and the Elementary Education Act, 1900, which made it possible for bye-laws to extend the compulsory school age to that of 14 years, and increased the maximum penalty for the breach of bye-laws from 5s. to 20s. (See Law of School Attendance, page 148.)

The following are the model bye-laws issued by the Board of Education for the guidance of local authorities:—

## B Y E - L A W S.

### MADE UNDER

Section 74 of the Elementary Education Act, 1870, as amended by the Elementary Education Acts, 1876, 1880, 1893, 1899, and 1900.

### FOR THE

(Insert the name of the district to which it is intended that the proposed bye-laws shall relate.)

### BY THE

(Insert the name of the Local Authority making the proposed bye-laws.)

### *Definitions.*

#### 1. In these bye-laws

The term "district" means (insert the name of the district to which it is intended that the proposed bye-laws shall relate.)

The term "child" means a child residing in the district.

The term "school" means a certified efficient school.

"Attendance" means an attendance at a morning or afternoon meeting of the school.

The Code "for the time being" means the Code of Minutes of the Board of Education in force for the time being with respect to the Parliamentary grant to public elementary schools in England.

The term "local authority" means the local authority for the district acting for the time being under the Elementary Education Act, 1876.

### *Children to Attend School.*

2. The parent of every child of not less than five, nor more than fourteen years of age, shall cause such child to attend school, unless there be a reasonable excuse for non-attendance.

### *Reasonable Excuse.*

Any of the following reasons shall be a reasonable excuse, namely:—

(a) That the child is under efficient instruction in some other manner.

(b) That the child has been prevented from attending school by sickness or any unavoidable cause.

(c) That there is no public elementary school open which the child can attend within (insert a number not greater than three) miles, measured according to the nearest road from the residence of such child.

### *Time of Attendance.*

3. The time during which every child shall attend school shall be the whole time for which the school selected shall be open for the instruction of children of similar age, including the day fixed by His Majesty's Inspector for his annual visit.

### *Proviso as to Religion and Labour Acts.*

4. Provided always that nothing in these bye-laws—

(a) Shall prevent the withdrawal of any child from any religious observance or instruction in religious subjects;



(b) Shall require any child to attend school on any day exclusively set apart for religious observance by the religious body to which its parent belongs; or

(c) Shall have any force or effect in so far as it may be contrary to anything contained in any Act for regulating the education of children employed in labour.

*Proviso as to Total Exemption.*

5. And provided always that—

(a) A child between twelve and fourteen years of age shall not be required to attend school if such child has received a certificate from one of His Majesty's Inspectors of Schools that it has reached the (insert a standard which should be not lower than the fifth) standard prescribed by the Code for the time being.

*Proviso as to Partial Exemption for Purposes of Employment.*

(b) When a child between twelve and fourteen years of age, being beneficially employed to the satisfaction of the local authority, has either—

(i.) received a certificate from one of His Majesty's Inspectors of Schools that it has reached the (here insert a standard lower than that in 5 (a), but which should not be lower than the fourth) standard prescribed by the Code for the time being, or

(ii.) obtained a certificate that it has made 300 attendances in not more than two schools in each year for five preceding years whether consecutive or not,

such child may,

(x) while regularly making five attendances in each week in which the school is open, be exempt from further attendance at school,

or may,

(y) after having completed (here insert a number not less than 200) attendances during a period from (here specify the period during which partially exempted children are to attend school) to , or subsequent thereto, be exempt from further attendances until (here insert the commencing date of the period before mentioned) next ensuing.

NOTE.—The attendances under this last sub-section (y) may be required to be fulfilled in two or more distinct periods; in that case the periods, and the number of attendances to be made within each period, must be separately specified; and the exemption must be until the commencement of the next succeeding period.

Paragraphs (x) and (y) may be treated as alternatives, or both of them may be included in the bye-law.

*Special Bye-law for Children to be employed in Agriculture.*

62 and 63 Vict. c. 13.

(c) The parent of any child may, at any time after such child is eleven years of age, and has passed the (here insert the same standard as in 5 (b) above) standard, give notice to the local authority that such child is to be employed in agriculture.

The minimum age for exemption from school attendance for such child shall be thirteen.

Such child while between the ages of eleven and thirteen shall attend school 250 times in the year, namely (here set out the period or periods within which the attendances are to be made).



Any such child, so soon as it shall have made the number of attendances required { for any one of the periods } above mentioned, shall, whilst employed in agriculture, be exempt from further obligation to attend school until the { end of the year } next succeeding period above mentioned.

A certificate from the head teacher of a school that such child has made the attendances required by this bye-law, together with the production of the labour certificate, shall be sufficient evidence to justify the employment in agriculture of such child.

#### *Penalty.*

6. Every parent who shall not observe, or shall neglect or violate these bye-laws, or any of them, shall, upon conviction, be liable to a penalty not exceeding, with the costs, twenty shillings for each offence.

#### *Revocation.*

7. Any bye-laws heretofore made under Section 74 of the Elementary Education Act, 1870, or under that section as amended by the Elementary Education Acts, 1876, 1880, 1893, 1899, and 1900, are hereby revoked, as from the day on which the present bye-laws shall come into operation.

The above bye-laws were made by the (insert the name of the Local Authority making the proposed bye-laws), at a meeting held on                      day of                      , 190 .

In witness whereof the                      have hereunto set their common seal, this                      day of                      , 190 .

NOTE.—To reach or pass a standard means to pass in reading, writing, and arithmetic in that or a higher standard.

In some districts the bye-laws do not provide for half-time attendance, or for exemption depending on previous attendance.

The Board of Education state—

“Since the issue of our last report steady progress has been made in the revision of school attendance bye-laws, with a view to their adaptation to the provisions of recent legislation. The number of bye-laws finally sanctioned by the Board of Education, since the passing of the Elementary Education Act, 1900, up to the 30th of April, 1901, is as follows:—

#### *A.—School Boards.*

|                                     |             |      |
|-------------------------------------|-------------|------|
| In boroughs (county and non-county) | 163 out of  | 199  |
| In parishes .....                   | 1019 out of | 2360 |

#### *B.—School Attendance Committees.*

|  |            |     |
|--|------------|-----|
| In boroughs .....                      | 81 out of  | 117 |
| In urban district council districts... | 65 out of  | 92  |
| In unions .....                        | 404 out of | 579 |

“ Out of the above total of 1,732 authorities, 1,567 have raised the age to 14, while 165 only have refused to do so. The standard approved for total exemption is in no case lower than the fifth, nor (with but few exceptions) is that for partial exemption lower than the fourth. In view of the fact that the Board of Education possess no compulsory powers in the matter, this result must be regarded as satisfactory. The special agricultural bye-law provided for in the Elementary Education (School Attendance) Act, 1899 (Robson's Act), has been adopted in 822 cases. However undesirable it may be that children engaged in a particular industry should be exempt at an earlier age than children otherwise employed, the bye-law has had the advantage of limiting the employment to particular periods of the year, and thereby securing greater regularity of attendance during the winter or other months when the services of children in agriculture are not required.

“ In manufacturing districts a threatened collision between the labour provisions of the Factory Act and those contained in the bye-laws has been averted by the adoption of an attendance qualification for exemption in the case of children over 13. The Board of Education are, moreover, satisfied as to the beneficial effects of such a bye-law on regularity of attendance. Applications for new bye-laws continue to be received, and the Board have not as yet found it necessary to bring any special pressure to bear upon the local authorities.”—Report, 1901-2, pp. 13-14.

**Canal Boats Children.**—The Canal Boats Acts, 1877 and 1884, deal with the education of children dwelling on board canal boats, which, when used as residences, must be registered by sanitary authority. A child on board is deemed to be resident in place of registration, and must attend school in accordance with the bye-laws of that place unless the parent satisfies the local authority that the child is under instruction elsewhere.

The Board of Education make an annual report to Parliament. The following is the report for 1901-1902 :—

“ We have not anything material to add to our reports of previous years upon the manner in which the provisions of the Elementary Education Acts as to school attendance are enforced in the case of children living in canal boats. We have in those reports indicated our conviction that, so long as children of school age are permitted to live upon the boats, no effective means can be devised for securing their regular attendance at school.

“ The returns sent in to us through your Majesty's Inspectors of Schools by the various school boards and school attendance committees through whose districts canals pass, show that in many cases all is done that can be done to get the children found upon the boats to attend school. But all those

authorities who are really interested in the matter express regret at the ineffectiveness of the present law. At Brentford a special school is provided near a regular stopping place for boat children: and in many places the local authorities send their officers on board the barges to look for children and exercise pressure upon the parents.

"The most hopeful element of the returns is the statement, becoming year by year more frequent, that the parents now often leave their children on shore when they go on canal journeys. There are indications that the boat owners are now disposed to co-operate in this very desirable action, for one school authority reports that 'steps are taken to have the children removed by the boat owners, usually with success.'"

**Capital Charges** refer to expenditure out of loan for the provision of schools. In connection with the provision of board schools the total loans raised by school boards, 1870-1902, amounted to £43,910,230, accommodation being afforded for 2,882,239 scholars, the estimated cost per child being £15 4s. 8½d. In addition, loans amounting to £142,132 had been granted for affording accommodation for 744 blind children, and the sum of £56,106 for providing accommodation for 670 defective children. The amount of loans sanctioned by the Board of Education during 1901 and 1902 was £2,316,824. Loans for the provision by local authorities of industrial schools are not included in the foregoing amounts; such loans are sanctioned by the Home Office.

**Caretakers: School.**—Much of the health and happiness of the teachers and scholars of a public elementary school depends upon the industry and efficiency of the caretaker, for whose use there should be provided a proper residence within the school precincts, and the terms of engagement should include the use of coal and gas.

Taking a school, which accommodates, say, a thousand children, the wages of a caretaker will range from 30s. to 35s. per week, with the foregoing privileges: The man to devote the whole of his time to his duties, of which a specimen list is appended below. Public elementary schools, as a rule, are not kept as clean as they ought to be. This frequently arises from too much being expected from the caretaker. Some recent experience has proved the wisdom of having the floors of schools regularly scrubbed throughout the building at one time by charwomen rather than the method of granting extra assistance to the caretaker on condition that certain portions of the building are to be so dealt with each week. In order to have the windows properly cleaned it is a good plan to let the cleaning to window-cleaning contractors at a cost, say, of £3 for each time the

windows of a school accommodating 1,000 children are cleaned. The responsibility for dusting, arranging furniture, and all the other work incident to the use of a school, apart from the scrubbing of floors and cleaning of windows, would, of course, be discharged by the resident caretaker.

Most careful attention should also be paid by the caretaker to the sanitary condition and cleanliness of the offices and the careful control of gas, water, and fuel.\* It is a great advantage to the managers if the caretaker is able to undertake the small repairs needed in the building: broken locks and other trivial repairs to furniture alone are a considerable expense when workmen have to be specially sent to attend to these matters.

I have often thought that the caretaker of an English public elementary school should be looked upon as holding an office of the highest importance, the discharge of the duties of which requires the exercise of no small amount of tact, good feeling, and intelligence. In Scotland his counterpart is known as the school janitor, is dressed in a suitable uniform, and his good services are publicly recognised both by the school managers and teachers.

Last year the cost per head of average attendance was 2s. 6d. for cleaning in the Manchester Board Schools; London, 2s. 10d.

**DUTIES OF CARETAKER.**—Taken from the Regulations of the Bradford School Board.

*Daily Duties.*

1. Not later than seven o'clock a.m., to light all the fires, and to place in the rooms a supply of coals, ready for use as directed by the head teachers.

2. Not later than eight o'clock a.m., to dust all forms, desks, window-sills, and school furniture.

3. To attend to the warming apparatus and during the day to keep the thermometer between 55 degrees and 60 degrees.

4. To open all the windows during dinner hour, and after the close of the school in the afternoon, if the weather permit, and see that the window blinds are in working order.

5. After the close of the afternoon school, or after every evening meeting, to sweep the main-rooms, class-rooms, cloak-rooms, galleries, lavatories, entrances, wash the conveniences, and flush the urinals. Wet sawdust must be used in sweeping.

6. To clear the yards and playgrounds of dirt, paper, and rubbish, and to clean out the gullies in the playgrounds.

7. To turn off the gas and water at the meters, at night, for the purpose of preventing waste.

8. To wash out the lavatory basins and to put up clean towels.

*Weekly Duties.*

1. To wash the cloak-rooms, lavatories, entrances, fireplaces, conveniences, and flags.

2. To wash the towels and dusters used in schools.

3. To wind up the clocks, and see they are keeping correct time by the Town Hall clock.

\* A weekly return of the consumption of gas and water furnishes a ready means of preventing waste.



4. To tidy the cellars.
5. To attend at the office not later than 12-30 p.m. on Mondays.
  - (a) To receive parcels for the school.
  - (b) To bring requisitions for fuel.
  - (c) To bring fuel delivery notes on the Monday following the arrival of the fuel.
  - (d) To bring the school fees for the preceding week. The caretaker must count the money in the presence of the head teacher, and take it direct to the office, along with the school fees book, which must be returned by him to the head teacher before 4 p.m. on the same day.

#### *Monthly Duties.*

1. To wash the inkwells, desks, and blackboards; to wash the windows inside and outside; to clean the glass in the class-room doors and partitions; and to dust the maps, diagrams, and pictures. Inkwells must be washed in buckets and not in lavatory basins.
2. Not later than 12-30 p.m. on the last Monday in every month, the caretaker of each school shall bring to the office the stock money of each department of his school. He must count the money in the presence of the head teacher, and take it direct to the office, along with the sales book, which book must be returned by him to the head teacher before 4 p.m. on the same day.

#### *Miscellaneous Duties.*

1. Every alternate month, to wash the floors of the main-rooms, class-rooms, the galleries, and stonework.
2. To take parcels, etc., to, or fetch them from, the office when required by the Clerk of the Board, the Superintendent of Schools, or the principal teachers. All parcels delivered at the office must be accompanied by a letter of explanation.
3. To give written notice at the office when the ashpits require emptying, and to report on Form 226 when this has been done.
4. Caretakers on entering the schools during the presence of the teachers and scholars, must remove their hats, and on no account must they enter the school during religious instruction or observances.
5. Any rooms required for evening schools or meetings to be prepared and arranged.
6. Each department shall have an extra cleaning for the Government Inspection, but this cleaning must not take the place of the ordinary cleaning.
7. To see that as little gas as possible is used during the sweeping of the school, and to turn off the gas at meters when it is not required.
8. To periodically examine the gas pendants to see if they are securely fastened.
9. To see that there is no waste of water and gas in any part of the premises.
10. The caretaker shall provide, at his own cost, all brushes, dusters, floorcloths, and soap required in the above duties.
11. In regard to the washing of towels, it has been decided to allow one clean towel per week for each teacher.
12. The time for commencing duties after afternoon school will, as a rule, be 5 o'clock. Should the head teacher desire it, this time must be at such later hour as he or she may fix for any particular date or dates.
13. Caretakers shall report to the office their private address, and any change of residence.



14. To see that no placards, notice boards, etc., are affixed to the premises unless sanctioned by the Board.

15. To clean out the eave spouts and fall pipe heads when necessary.

16. To see that no portion of the premises is used for any meeting, etc., unless written authority has been received from the Board previous to the time when it is intended that the meeting should commence.

17. To see that there is no standing on seats, furniture, windowsills, etc., when the rooms are used for meetings, and to report to the office, on the form provided for the purpose, when more rooms are used than are previously notified from the office.

18. To see that no smoking or intoxicants are allowed on the school premises.

19. To keep the caretaker's note book in accordance with the instructions therein given.

20. To keep the warming apparatus from freezing.

21. To keep a clear way through the snow, so that the scholars may have ready access to the school rooms.

22. To wash off, immediately, any writing or drawing on the school walls or in the conveniences, and to report to the respective head teachers any scholar found guilty of this practice.

23. To wash the floor of the cooking room and scullery at the end of every week during which they have been used for cooking.

24. To be responsible for the care of the premises and their contents.

25. To see that all the "smudge" is removed from the coal cellars prior to receiving a fresh supply of coal or coke.

26. And any other duties that may be required by the Board.

NOTE.—It should be explained that the carrying of cash and parcels does not usually fall to the lot of the caretaker, and that he should be required to be present at the school during school hours when his work requires such attendance.

### **Certificates of Age, Proficiency, and School Attendance.**

See Revised Regulations. Page 510.

**Certificate of Birth.**—The powers given by the 25th section of the Act of 1876 regarding the certificate of birth are extended and made more definite by section 134 of the Factory and Workshop Act, 1901: "Where the age of any young person under the age of sixteen years, or child, is required to be ascertained or proved for the purposes of this Act, or for any purpose connected with the employment in labour or elementary education of the young person or child, any person shall, on presenting a written requisition in such form and containing such particulars as may be from time to time prescribed by the Local Government Board, and on payment of a fee of sixpence be entitled to obtain a certified copy under the hand of a registrar or superintendent registrar of the entry in the register under the Births and Deaths Registration Acts, 1836 to 1874, of the birth of that young person or child: and such form of requisition shall, on request, be supplied without charge by every superintendent registrar and registrar of birth, deaths, and marriages."

Such requisition must state year of birth. Where registrar has to search for year, he will probably charge a search fee. These certificates are exempt from stamp duty.

**Charity Commission.**—By Section 2 (2) of the Board of Education Act, 1899, the powers of the Charity Commissioners or the Board of Agriculture relating to education may, by Order in Council, be transferred to the Board of Education.

The following Order in Council, dated 7th August, 1900, has been issued by the Board of Education with reference to the concurrent exercise of certain powers of the Charity Commissioners by the Board of Education:—

Whereas by section two of the Board of Education Act, 1899, it is enacted that, subject to the provisions of that section, it shall be lawful for Her Majesty in Council, from time to time, to transfer to, or make exercisable by, the Board of Education, any of the powers of the Charity Commissioners in matters appearing to Her Majesty to relate to education, and that the Order may make such provision as appears necessary for applying to the exercise of those powers by the Board of Education the enactments relating to the Charity Commissioners.

Now therefore, Her Majesty, by and with the advice of Her Privy Council, and by virtue of the authority committed to Her by the Board of Education Act, 1899, and of all other powers enabling Her in that behalf, is pleased to order, and it is hereby ordered, as follows:—

*Concurrent Exercise of Certain Powers of the Charity Commissioners by the Board of Education.*

1.—The powers of—

- (a) Inquiring into charities; and
- (b) Requiring accounts and statements to be rendered and answers to questions to be returned; and
- (c) Requiring copies of and extracts from documents to be furnished; and
- (d) Searching records; and
- (e) Requiring the attendance of witnesses and the production of documents; and
- (f) Examining witnesses on oath and administering oaths conferred on the Charity Commissioners and their Assistant Commissioners and officers by the enactment specified in Part I. of the first schedule to this order, or by any scheme under the Charitable Trusts Acts, 1853 to 1894, or the Endowed Schools Acts, 1869 to 1889, may, so far as they relate to trusts for educational purposes, be exercised by the Board of Education and their officers concurrently with the Charity Commissioners and their Assistant Commissioners and other officers, and accordingly those enactments and schemes and the enactments specified in Part II. of that schedule shall apply with the modifications set forth in the second schedule to this Order.

*Transfer of Powers relating to Educational Endowments in Wales and Monmouthshire.*

2.—(1) There shall be transferred to the Board of Education—

- (a) All powers conferred on the Charity Commissioners by any scheme made under the Endowed Schools Acts, 1869 to 1889, or any of them, and regulating an endowment held for,

or applicable to educational purposes in Wales or the county of Monmouth, or by any scheme amending any such scheme, except such of those powers as relate to the vesting or transfer of any land or funds of the endowment in, to, or from the official trustee of charity lands or the official trustees of charitable funds; and

- (b) All powers conferred on the Charity Commissioners by the Charitable Trusts Acts, 1853 to 1894, or the Endowed Schools Acts, 1869 to 1889, so far as those powers are exercisable in respect of any endowment so regulated.

(2) Provided that—

- (a) Land or funds belonging to any such endowment shall not be vested or transferred in, to, or from the official trustee of charity lands or the official trustees of charitable funds except by order of the Charity Commissioners; and
- (b) The powers of the Charity Commissioners with respect to—
- (i.) The appointment and removal of trustees, or otherwise in relation to the constitution of a governing body, of an endowment held partly for educational purposes in Wales and the county of Monmouth and partly for other purposes; and
  - (ii.) The property of an endowment, the income of which is applicable partly to educational purposes in Wales and the county of Monmouth and partly for other purposes,

shall not be transferred to the Board of Education unless the property of the endowment is administered by a governing body established for educational purposes, and any question whether a governing body was established for educational purposes shall be determined by the Charity Commissioners.

(3) For the purposes of the transfer effected by this section, the provisions of the Charitable Trusts Acts, 1853 to 1894, and the Endowed Schools Acts, 1869 to 1889, shall apply with the modifications and adaptations set forth in the second schedule to this order, and in the schemes conferring powers transferred by this section the provisions relating to those powers shall have effect as if anything required to be done to, by, or in relation to the Charity Commissioners, were required to be done to, by, or in relation to the Board of Education, and any rules, regulations, or forms made, approved, or prescribed by the Charity Commissioners under any such scheme shall continue in force until varied, revoked, or superseded by new rules, regulations, or forms made in accordance with the provisions of the scheme as amended by this order.

*Short Title and Commencement.*

3.—This order may be cited as the Board of Education (Powers) Order in Council, 1900, and shall come into operation on the first day of November one thousand nine hundred.

FIRST SCHEDULE.

ENACTMENTS APPLIED.

PART I.

The Charitable Trusts Act, 1853 (16 and 17 Vic. c. 137), ss. 9, 10, 11, and 12, as amended by the Charitable Trusts Act, 1887 (50 and 51 Vict. c. 49).

The Charitable Trusts Amendment Act, 1855 (18 and 19 Vict. c. 124) ss. 6 and 7, as amended by the Charitable Trusts Act, 1887 (50 and 51 Vict. c. 49).

#### PART II.

The Charitable Trusts Act, 1853, ss. 13, 14, and 15, and the Charitable Trusts Amendment Act, 1855, ss. 8 and 9, as amended by the Charitable Trusts Act, 1887.

### SECOND SCHEDULE.

#### MODIFICATIONS AND ADAPTATIONS.

References to the Board of Charity Commissioners shall be construed as references to the Board of Education.

References to a Charity Commissioner shall be construed as references to a member of the Board of Education.

References to Assistant Charity Commissioners shall be construed as references to inspectors and other officers of the Board of Education.

References to the secretary and other officers of the Charity Commissioners shall be construed as references to the secretary and other officers of the Board of Education.

The Board of Education shall, before finally settling the draft of any amending scheme framed under the Endowed Schools Acts, 1869 to 1889, cause all such steps to be taken as are by those Acts required to be taken before any such scheme is submitted for approval to the Committee of Council on Education, and such final settlement shall take the place of the approval required by those Acts, and accordingly the Board of Education shall cause the scheme to be published and circulated in such manner, and together with such notice, as is required by Section 13 of the Endowed Schools Act, 1873, and the like proceedings may be taken with respect to a scheme so settled as may, under the Endowed Schools Acts, 1869 to 1889, be taken with respect to a scheme approved by the Committee of Council on Education.

The report required by Section 16 of the Endowed Schools Act, 1873, to be made to the Committee of Council on Education shall be made to Her Majesty the Queen.

A further Order in Council, dated 24th July, 1901, provides—

1.—(1) The powers conferred on the Charity Commissioners by the Charitable Trusts Acts, 1853 to 1894, and by the Endowed Schools Acts, 1869 to 1889, to frame, approve, certify, establish, and amend schemes, shall, so far as those powers are exercisable in respect of any endowment held solely for educational purposes in England and Wales, and so far as they have not already been transferred to the Board of Education, be transferred to that board.

Provided that a scheme made by the Board of Education shall not contain provisions requiring or authorising any land or funds belonging to any such endowment to be vested or transferred in, to, or from the Official Trustee of Charity Lands or the Official Trustees of Charitable Funds otherwise than by order of the Charity Commissioners.

(2) Where the Charity Commissioners, in exercise of the powers conferred on them by the Charitable Trusts Acts, 1853 to 1894, or the Endowed Schools Acts, 1869 to 1889, determine, by scheme or otherwise, in respect of any endowment held partly for educational purposes and partly for other purposes, what part of the endowment is held for educational purposes, that part shall for the purposes of this Order be treated as an educational endowment held solely for educational purposes.



(3) For the purposes of the transfer effected by this section the provisions of the Charitable Trusts Acts, 1853 to 1894, and the Endowed Schools Acts, 1869 to 1889, shall apply with the modifications and adaptations set forth in the schedule of this Order.

(4) In any scheme made before the commencement of this Order relating to an endowment held solely for educational purposes, provisions empowering the Charity Commissioners to make amending schemes and to make rules, regulations, and forms, and any rules, regulations, and forms made by the Charity Commissioners, before the commencement of this Order in pursuance of any such power, shall have effect as if in those provisions and in those rules, regulations, and forms references to the Board of Education were substituted for references to the Charity Commissioners.

2.—Provisions in any scheme made before the commencement of this Order empowering the Charity Commissioners by order to direct the manner in which a school shall be examined in any year, or directing the governing body to send a copy of the examiner's report to the Charity Commissioners, shall have effect as if in any such schemes references to the Board of Education had been substituted for references to the Charity Commissioners.

3.—This Order may be cited as the Board of Education (Powers) Order in Council, 1901, and shall come into operation on the 1st day of September, 1901.

## SCHEDULE.

### MODIFICATIONS AND ADAPTATIONS.

In such of the provisions of the Charitable Trusts Acts, 1853 to 1894, and of the Endowed Schools Acts, 1869 to 1889, as relate to the framing, approving, certifying, establishing, and amending of schemes, or to the powers and duties and proceedings incidental thereto or consequential thereon, for references to the Charity Commissioners and their officers shall be substituted references to the Board of Education and their officers respectively.

The Board of Education shall, before finally settling the draft of any scheme framed under the Endowed Schools Acts, 1869 to 1889, or any of them, cause all such steps to be taken as are by those Acts required to be taken before any such scheme is submitted for approval to the Committee of Council on Education, and such final settlement shall take the place of the approval required by those Acts, and accordingly the Board of Education shall cause the scheme to be published and circulated in such manner and together with such notice as is required by section thirteen of the Endowed Schools Act, 1873, and the like proceedings may be taken with respect to a scheme so settled as may under the Endowed Schools Acts, 1869 to 1889, be taken with respect to a scheme approved by the Committee of Council on Education.

The report required by section sixteen of the Endowed Schools Act, 1873, to be made to the Committee of Council on Education shall be made to His Majesty the King.

**City and Guilds of London Institute.**—City and Guilds of London Institute for the advancement of technical education, carrying on a technical college at Finsbury and an examination department at Exhibition Road, London, S.W.

The institute conducts examinations in technological subjects.



**Clothing of Poor Children.**—In Liverpool, Manchester, and Birmingham voluntary associations have been formed for supplying clothing to poor children eligible for employment. These are known as police-aided associations, and work in conjunction with the police, who recommend suitable cases for relief, and prevent the pawning or improper disposal of articles of clothing, boots, etc., supplied by the association.

See *Street Trading by Children* Page 259.

**Codes.**—**ELEMENTARY EDUCATION:** *Code of Regulations for Day Schools.*—The Day School Code of the Board of Education regulates public elementary schools. The principal regulations of the Code, illustrated by extracts from the revised instructions to H.M. Inspectors, are dealt with under the several headings in this series of articles. The “Code of Regulations for Day Schools” (price 4d.), and the “Revised Instructions” (price 4d.) are published annually by Messrs. Eyre and Spottiswoode.

**HIGHER EDUCATION.**—“Regulations for Secondary Day Schools” and “Supplementary Regulations for Secondary Day Schools and for Evening Schools” take the place of the former “Science and Art Directory,” and the “Evening School Code.” These regulations deal with the inspection and control of all forms of higher education aided by Government grants, and are treated under various headings in this series of articles.

The “Regulations for Secondary Day Schools” (price 2d.), and the “Supplementary Regulations for Secondary Day Schools and for Evening Schools” (price 4d.) may also be obtained from Messrs. Eyre and Spottiswoode.

**Co-Education**—A new-fangled name for an old and excellent system of education. (See *Mixed Schools*.)

**College**—In the Act of 1902 the expression “college” includes any educational institution, whether residential or not. (See also *Training Colleges*. Page 284.)

**Combination of Authorities.**—By section 52 of the Act of 1870 local authorities have power to combine for the maintenance and provision of border public elementary schools. (See also *Arrangements between Councils*. Page 28.)

**Commencement.**—See *Appointed Day*. Page 27.

**Commercial Education.**—Commercial education, particularly in the direction of providing improved facilities for instruction in modern languages, has for some years received increased attention on the part of educational authorities and Chambers of Commerce in different parts of the country.

Sufficient encouragement has not, however, yet been given by the Board of Education to enable secondary day and evening schools, aided by Government grants, to undertake a systematic course of general education suitable for boys and girls who, on leaving school, will be engaged in commercial pursuits. Probably some of the most effective work hitherto accomplished has been done in the evening schools.

This department of instruction has for many years engaged the attention of the Manchester School Board, provision having been made at special schools and centres for organised courses of instruction, embracing French, German, Spanish, Portuguese, and Italian; Commercial History and Geography, Shorthand, Book-keeping, Typewriting, and English subjects.

At the Manchester Central Commercial Evening School alone something like 2,000 students attend each winter, and their successes in the examinations conducted by the Society of Arts and the London Chamber of Commerce have been considerable.

Greater encouragement should be given by the Board of Education for this kind of instruction. It is an anomaly that higher grants should be awarded for the encouragement of instruction in science and art than for the teaching of modern languages.

**Compulsory Purchase of Land.**—Section 20 of the Act of 1870, with respect to the purchase of land, gives power under the Lands Clauses Consolidation Act, 1845, and the Acts amending the same, for the compulsory purchase of sites. (See also section 15 of the Act of 1873.) Section 20 of the Act of 1873 deals with the publication of notices.

The following memorandum, issued by the Department in May, 1897, clearly sets forth the course of procedure for putting in force the Lands Clauses Acts in the case of schools.

#### ELEMENTARY EDUCATION ACTS, 1870-1873.

Memorandum under Section 20, Elementary Education Act, 1870, and Section 20, Elementary Education Act, 1873.—Form 1 (C.P.).

When a School Board, other than the School Board for London, proposes to petition the Education Department for a provisional order for putting in force the Lands Clauses Consolidations Acts, the following regulations should be followed:—

#### *Section 20, Elementary Education Act, 1870.*

1. The various requirements of Section 20 of the Elementary Education Act, 1870, should be carried out.

#### *Section 20, Elementary Education Act, 1873.*

2. Unless a special order has been issued by the department to any board prescribing the manner of publication required by the aforesaid section, the publication must be made in the manner prescribed by Section 20 of the Elementary Education Act, 1873, *i.e.*, by advertisement, and by affixing notices on the church and other doors. These two methods of publication should be as nearly as possible concurrent.

*Publication in Newspapers.*

3. The Education Department are satisfied with publication by advertisement in one or more weekly newspapers circulating in the district of the School Board, if the publication has been completed during three consecutive weeks in the months of October and November, or either of them (*e.g.*, advertisement in one or more newspapers on the 9th, 16th, and 23rd of November would be accepted). (See Rule 2.)

*Documents Required by the Education Department.*

4. When these preliminaries have been fulfilled and the petition is presented to the Education Department, their Lordships require the following documents as evidence in support of the petition:—

- (a) A statutory declaration stating when, and in what newspapers, the notice was advertised, with the copy of the paper annexed as an exhibit. The declaration must also show that a copy of the notice was affixed on the Church and other doors according to Section 20 of the Elementary Education Act, 1873.
- (b) A similar declaration setting forth the service of the several notices upon the different parties and their answers. Each of these declarations requires a stamp (2s. 6d.)

*Latest Date for Presentation of Petition.*

5. The petition should be presented to the Education Department as early as possible in January, in order that the provisional order may be confirmed in the following session.

*Deposit of Plans in Offices of Houses of Parliament.*

6. The department require to be informed that at the same time as the deposit of the petition was made in this department the standing orders of the Houses of Parliament had been complied with.

They are as follow:—

Copies of standing orders of the Houses of Parliament respecting deposit of plans in case of application to a public department for a provisional order:—

*House of Lords (39).*

“Whenever plans, sections, books of reference, or maps are deposited, in the case of an application to any public department or County Council, for a provisional order or certificate, duplicates of the said documents shall also be deposited in the office of the Clerk of the Parliaments: Provided that with regard to such deposits as are so made at any public department, or with any County Council, after the prorogation of Parliament, and before the 30th day of November, in any year, such duplicates shall be so deposited on or before the 30th day of November.”

*House of Commons (39).*

“Whenever plans, sections, books of reference, or maps are deposited, in the case of an application to any public department or County Council, for a provisional order or provisional certificate, duplicates of the said documents shall also be deposited in the Private Bill Office: Provided that with regard to such deposits as are so made at any public department, or with any County Council, after the prorogation of Parliament, and before the 30th day of November, in any year, such duplicates shall be so deposited on or before the 30th day of November.”

*Provision as to Houses of Labouring Classes.*

7. Standing Order 38 of the House of Commons provides that—If ten or more houses occupied, either wholly or partially, by persons belonging to the labouring class, as defined by Standing Order 183A, as tenants or lodgers are proposed to be acquired, the promoters shall deposit in the Private Bill Office, and at the office of the Central Authority, as defined in Standing Order 183A, on or before the 31st day of December, a statement of the number, description, and situation of such houses, the number (so far as can be ascertained) of persons residing therein, and a copy of so much of the plan (if any) as relates thereto.

*Definition of the Expression "Labouring Class," etc.*

And Standing Order 183A provides that—The expression "Labouring Class" includes mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages, but working at some trade or handicraft without employing others except members of their own family, and persons other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any such persons who may be residing with them.

The expression "Central Authority" means as regards England and Wales, exclusive of the Metropolis, the Local Government Board.

Standing Orders 38 and 111 of the House of Lords require a similar deposit in the office of the Clerk of the Parliaments.

8. The following further evidence will be required in support of the petition:—

- (a) Evidence that the purchase of land is necessary in order to supply a deficiency of school accommodation, or for other purposes of the Elementary Education Acts.
- (b) Evidence that a plan of the land to be purchased has been submitted to, and approved by, the Education Department.
- (c) Evidence that the Board is unable to purchase the land so required by voluntary agreement.

9. If the petition is complied with and the order made, a copy of such order must be served on all the persons interested, as prescribed by sub-section 5 of section 20 of the Elementary Education Act, 1870, and on receipt of a statutory declaration of such service, duly stamped, the Department present the confirming Bill to Parliament and conduct it through the various stages.

10. The petition must state precisely the purpose for which the land is acquired, and the other matters it is required by section 20 of the Act to state, and should be accompanied by plans.

If more than one site is referred to in the same petition, the purpose must be stated separately for each site, being set forth in a schedule and numbered to correspond with the plans, and the plans of each site should be on separate papers.

11. In a letter accompanying the petition, reference must be made in respect of each site included in the petition, to the official correspondence which the Board have previously had with the Education Department, as to the supply of the accommodation for which the site is intended.

12. The petition need not be engrossed, and may be written on ordinary foolscap paper.

13. The Board is informed by the Department when the Bill is presented to Parliament and again when it has received the Royal Assent.



**Compulsory School Attendance.**—The Act of 1876, sec. 4, declares it to be the duty of the parent of every child to cause such child to receive efficient elementary instruction in reading, writing, and arithmetic, and it is the duty of the local education authority to enforce the law.

The school age for ordinary children\* is 5 to 14 years, and the standard is the seventh for full-time exemption, subject to such modifications as are contained in the local bye-laws.

The penalty for non-attendance is a fine not exceeding 20s. for each offence. The usual method of procedure is to divide the area of the authority into school attendance officers' districts. In urban districts 2,000 children is a fair proportion for each officer. In rural districts the proportion will be smaller.

With such a district the officer should be able to visit each week, or more frequently, all absentees reported from the schools, and regularly canvass the district at appointed intervals, in order that a complete schedule of all children of school age may be obtained.

Absentees are best reported on duplicate schedules, prepared and entered up by the teachers each week. In Part IV. are given the headings for such a duplicate register, which should be ruled for 50 names on a page.

Absentee forms are supplied to the schools for use by the teachers.—Part IV., page 554. See also Attendance Officers, page 29; Bye-laws, page 40; and Police Court Procedure, page 190.

Local authorities have power to require returns from managers of public elementary schools.—(Sec. 22, Act of 1873.)

Remarkable success has attended the carrying out of the law of compulsory school attendance since 1870. The recent reports of the Board of Education show the striking increase of the number of children brought into school since 1870. Whilst in the year 1870 there were 1,152,389 children in average attendance at schools in England and Wales, this number had risen in 1901 to 4,731,911; the number of scholars on the registers in each of these periods being 1,693,059, compared with 5,758,143. The number of registered scholars in average attendance has, therefore, risen from 68·07 per cent in 1870 to 82·17 per cent in 1901.

It is mainly to the school boards of the country that the credit of having so wisely worked the law of compulsory attendance is due. The amount of care and attention which has been given all over the country by members of school boards is worthy of the highest recognition. If in the early years of compulsion the law had been inefficiently worked, or carelessly administered, a very different result might have been brought

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\* Blind children, 5 to 16. Deaf children, 7 to 16. Defective or epileptic children, 7 to 16.



about, and the good work which has followed by the gathering into the schools of vast numbers of children would never have been realised. There is no doubt that during the past twenty years there has been brought to the work an amount of intelligence and forethought which could scarcely be equalled in any other department of public administration. It is of the highest importance that children should be punctual and regular in their attendance at school. This enforcement of compulsory attendance is in the first rank of all work which falls upon the local authority. It is a work upon which all members of a local authority may unite.

The difficulty of carrying out the work of compulsory attendance varies very much owing to the particular circumstances of the towns. In the town of Bolton, for example, owing to the great scope for juvenile labour in the factories, it is possible to get a higher percentage of attendances than it is in another town, where the children have not the same regular employment to look forward to. In a town like Liverpool, where from various causes there is a large shifting population, obtaining their means of livelihood by unskilled labour, it is more difficult to secure a high percentage of attendances. The larger the town, the greater will be the difficulty.

The Royal Commissioners on the Elementary Education Acts very truly said that, although compulsion has been most efficacious in placing the children's names upon the rolls of the school, it has not been so successful in obtaining regularity of attendance.

The following is the latest method employed in Manchester in dealing with irregularity of school attendance. The city is divided into six divisions. Each attendance officer, in order to spend as much time as possible in visiting his district, reports himself for duty in or near his work, at some place arranged, instead of being compelled to go to the central office. The mode of reporting absentees from school is as follows: Every Thursday night all the schools in Manchester are supplied with a duplicate register, which is ruled for one quarter, and upon this register the teachers of board schools and voluntary schools are instructed to return the attendances of all children on the school registers. Every child absent from school in Manchester is during the following week visited and reported on by a school attendance officer. Of course a larger staff of attendance officers is now employed, but the result has been well worth the additional expense, for the percentage of regularity in the schools has increased considerably. The systematic visitation of absentees has also done a great deal to check the tendency that parents undoubtedly have to keep their children away whenever a week is broken by a holiday. This new system has also considerably reduced the

number of prosecutions. The very worst use you can put a parent to is to prosecute him for the non-attendance of his child at school. The great majority of English people have such a respect for the law that they will, on the matter being very gently put, themselves remedy any ground of offence. In Manchester we have preliminary meetings of first offenders summoned before the officers of the board. Many thousands of such people have been thus interviewed, with very happy results. These meetings are held in the evening in different parts of the city. The number who have had subsequently to appear before the evening meetings, attended by the members, has been considerably decreased.

One of the aids to school attendance is the day industrial school. In all school board districts there are cases of irregular attendance where it is not possible to apply the ordinary machinery of compulsion; certain children have become so wayward and so much infected with the romance of life, as found upon the streets, that it is utterly impossible to induce them to attend school by ordinary means. Then there is another class which is represented by the young gentleman who, rigged up in dilapidated clothes, either turns "cart wheels" in well-frequented thoroughfares or cultivates the art of commerce in trying to sell wax matches or any of the other penny or half-penny articles which find a ready sale in our streets. This hopeless boy has probably a still more hopeless father and mother. The father, who is also a nondescript, is equally happy in drinking in a beer-house or passing a short interval in prison—whichever may suit the school board best. Or it may be that the boy has no father, but a mother, who has to leave early in the morning to work in a factory or warehouse, such employment rendering it utterly impossible for her to ensure the attendance of her boy at school. In the first of these cases procedure before the magistrates is a farce; in the second it is positive cruelty, and it is here that the day industrial school plays such an important part. The way in which children of this description can be saved and brought into regular habits of school attendance is marvellous. In the Manchester Day Industrial School a percentage of attendance of about 99 is obtained, much less than an average absence of one half-day per week per child. Many such absences, too, are beyond control, as they arise from children being in hospital, etc. The improvement in the children, both physical and intellectual, is very marked. Regular food, regular habits, and rules of order and discipline bear their usual fruit, and the youngsters during the short period of detention become civilised and amenable to discipline.

The experience of managers of day industrial schools also shows that children, when licensed out to attend ordinary public elementary schools, make an attendance of over 90 per cent—very far

ahead of the percentage of ordinary children. Of course all children, whose absences go to lower the percentage of regular attendance, do not belong to the class that can be dealt with by a day industrial school, and a great deal can be done by offering rewards for good attendance. In Manchester a simple framed certificate is given (for absolutely perfect attendance) to each child who is never absent from any school meeting during the school year. These are very highly prized, and thousands of homes in Manchester have their walls adorned by these certificates of merit. Penny banks are invaluable in preventing capricious removal of children from school to school.

Hunger is an enemy of school attendance. A fund is raised each winter in Manchester by the Board, partly by means of voluntary subscriptions and partly by means of concerts given in the schools, by which a warm dinner is given to all the children whose cases are approved by the board, and the circumstances of whose families have been shown, on investigation by the school attendance officer, to be under "the poverty scale" of the board. No difficulty has been found in raising the necessary funds, and a great amount of good has been done to many poor underfed children who have been rendered by means of these meals physically fit for instruction.

The best way of ensuring school attendance is the constant and regular visitation of absentees. The most valuable work a school board officer can be put to is the visitation at their homes of the parents of children absent from school; the least valuable the preparation of statistical returns. In addition to the ordinary work of visitation it is necessary that at stated times in the year districts should be canvassed in order to take care that all children are got on the school rolls. I would sum up by saying—(1) Ensure quick visitation of absentees. (2) Reduce the prosecutions to a minimum—the duty of bringing parents before the magistrates is the most painful work that an authority has to do. To get the children to school is the great object, not to flood the police court with defendants. (3) Establish day industrial schools, penny banks, and the giving of food during the winter months to destitute children.

**Conscience Clause.**—All public elementary schools must, with regard to religious instruction, observe the terms of the Conscience Clause of the Act of 1870.

No attendance at any place of worship or Sunday School nor any religious instruction is to be imposed on any child in attendance, if his parents or guardians object. Any religious teaching or observance at a school meeting must be either at the beginning or end of the meeting, and any scholar may be withdrawn from these by his parent or guardian without forfeiting any benefits. (See Sec. 7 (1), Act of 1870.) (See Religious Instruction, page 221.)

## Consultative Committee of Board of Education.

Under the provisions of the Board of Education Act, there has been established a Consultative Committee consisting as to not less than two-thirds of persons qualified to represent the views of Universities and other bodies interested in education for the purpose of—

- (a) Framing, with the approval of the Board of Education, regulations for a register of teachers, which shall be formed and kept in manner to be provided by Order in Council, provided that the register so formed shall contain the names of the registered teachers arranged in alphabetical order, with an entry in respect to each teacher, showing the date of his registration, and giving a brief record of his qualifications and experience; and
- (b) Advising the Board of Education on any matter referred to the Committee by the Board.

The third clause as it appeared in the Bill when introduced in the House of Lords by the Lord President, on the 1st August, 1899, ran to this effect: "It shall be lawful for Her Majesty in Council from time to time by order to appoint a Consultative Committee for the purpose of advising the Board of Education on any matter referred to the Committee by the Board."

By the change in the drafting of this clause to the wording of the Act, the Government were enabled to obtain powers relating to the registration of teachers without the difficulty of passing a separate enactment, as was originally intended when a separate Bill for such registration was introduced in the previous session, and thus the path of legislation was made easier. Whether, on the whole, apart from the question of registration, the provision of the Act is an improvement on the former wording of the Bill is open to question.

### THE CONSULTATIVE COMMITTEE.

#### *First Members, 1901-1902.*

The Right Hon. Arthur Herbert Dyke Acland; Sir William Reynell Anson, Bart., M.P.; Professor Henry Armstrong; Mrs. Sophie Bryant; the Right Hon. Sir William Hart-Dyke, Bart., M.P.; Sir Michael Foster, K.C.B., M.P.; Mr. James Gow, Litt.D.; Mr. Ernest Gray, M.P.; Mr. Henry Hobhouse, M.P.; Mr. Arthur Charles Humphreys-Owen, M.P.; Sir Richard Claverhouse Jebb, M.P.; the Hon. and Rev. Edward Lyttelton; the Very Rev. Edward Craig Maclure, D.D., Dean of Manchester; Miss Lydia Manley; the Ven. Ernest Gray Sandford; Mrs. Eleanor Mildred Sidgwick; the Rev. David James Waller, D.D.; Professor Bertram Coghill Alan Windle, M.D.

The Consultative Committee, under the chairmanship of Sir William Hart-Dyke, have regularly met, and the principal matters so far dealt with have been the registration of teachers and the inspection of secondary schools.

## Conveyance of Children and Teachers.

Sec. 23 (1). The powers of a council under this Act shall include the provision of vehicles or the payment of reasonable travelling expenses for teachers or children attending school or college, whenever the council shall consider such provision or payment required by the circumstances of their area or of any part thereof.—Act of 1902.



The foregoing provision applies to the travelling expenses of teachers or scholars rendered necessary by the circumstances of areas supplied by particular schools.

Section 3 of the Elementary Education (Defective and Epileptic Children) Act, 1899, enables local authorities to provide guides or conveyances for children who are by reason of any physical or mental defect unable to attend school without such assistance, and the Board have stated that the power "is not limited to children attending special classes, but is intended also to meet the case of children who would otherwise be prevented by some physical defect from attending ordinary public elementary schools."

## Cookery.

The following is taken from the Revised Instructions:—

### METHOD OF TEACHING COOKERY.

*Demonstration Class.*—The teacher should cook two or more dishes before the girls from beginning to end, the girls being instructed in principles as well as in the reasons for the separate processes. Method of procedure and cleanliness of arrangements should be carefully attended to. Where possible, a blackboard summary of the lesson should be given, and the children should copy this with the recipes into their note books.

*Practice Class.*—The children, working in pairs, should practise with their own hands the dishes taught in demonstration on the same or a previous day; each pair should cook, finish, and dish up at least two of these dishes; the teacher should see that the previous teaching is strictly copied and carried out.

*Scullery Class.*—The children should tidy up the kitchen, clean tables and utensils, polish tins, etc.

|                            |   |                             |
|----------------------------|---|-----------------------------|
| Out of a class of 18 girls | { | 4 children to clean knives. |
|                            |   | 4    "    scrub boards.     |
|                            |   | 2    "    wash up.          |
|                            |   | 2    "    wipe things dry.  |
|                            |   | 2    "    put things away.  |
|                            | 4 | "    polish tins.           |

N.B.—(1) At the end of each lesson the dishes cooked should be placed by the children on a convenient table for exhibition.

(2) The cooking of large quantities often leads to difficulty in disposing of the food. A very successful lesson may be given and practised with only 2 oz. of meat used for making a stew or pie, and 1 gill of milk used for making a rice pudding. (Small pie dishes and pudding basins are required.)

### NOTES ON ARRANGEMENT OF A COOKERY SYLLABUS.

I.—After the first lesson on scullery work one of the suggested dishes in this syllabus should be taught both at demonstration and practice classes.

II.—The teacher will, of course, add dishes of her own choosing for each lesson according to the time allotted for the class. These extra dishes should, when possible, be illustrative of a back lesson.

III.—The dish illustrating the fresh principle or fresh primary method of cookery should always be demonstrated and practised first, and short rules to be learnt should be given on it.



IV.—The dietary value of the food and cost of the materials should be taught at each lesson, if only one course of cookery lessons is being given. When the arrangement is that the girls attend cookery classes for two or more successive years, the dietary value of food should not be taught till the second year.

V.—If more than 15 demonstrations are to be given, it is advisable to repeat those in which the teacher has reason to think that her class has failed to understand the principles correctly.

VI.—If fewer than 15 demonstrations are to be given, those marked with an asterisk can be coupled with another lesson.

| Lesson. | Cookery Principle or Primary Method. |  |
|---------|--------------------------------------|--|
| 1*      | Scullery work .....                  | Cleaning of utensils. Lighting, cleaning, and management of a stove. |
| 2       | Bread-making and baking.             | Yeast-bread. Baking-powder bread.                                    |
| 3       | Stewing.....                         | Irish stew. Beef stew. Haricot mutton.                               |
| 4       | Boiling or steaming.....             | Neck of mutton. Sheep's head. Boiled fish.                           |
| 5       | Roasting or baking .....             | Sheep's heart. Rabbit. Topside of beef.                              |
| 6       | Cold meat cookery .....              | Shepherd's pie. Toad-in-the-hole. Mince.                             |
| 7       | Frying .....                         | Liver and bacon. Pancakes. Fish-cakes (clarified fat).               |
| 8*      | Vegetables.....                      | Potatoes. Greens. Root vegetables.                                   |
| 9       | Soups .....                          | Meat or vegetable soups. Lentil soup.                                |
| 10      | Pastry .....                         | Short pastry. Flaky pastry.  |
| 11*     | Fish .....                           | Boiled, baked, or fried fish.  |
| 12      | Invalid cookery .....                | Beef tea (two ways). Steamed fish, Custard pudding.                  |
| 13*     | Broiling and grilling .....          | Chop. Steak. Fish.   |
| 14*     | Milk pudding .....                   | Rice. Semolina. Macaroni.  |
| 15*     | Boiled pudding.....                  | Roly-poly pudding. Plum pudding. Boiled or steamed batter.           |

#### UTENSILS NECESSARY FOR A COOKERY CLASS OF EIGHTEEN GIRLS.

|   |                                 |
|---|---------------------------------|
| 9 pudding basins (6 1-gill and<br>and 3 $\frac{1}{2}$ -pint). | 9 saucepans (various sizes).    |
| 9 pasteboards.  | 9 bowls or basins for mixing.   |
| 9 rolling pins.   | 6 pie dishes (1-gill).          |
| 2 paste brushes.  | 3 " ( $\frac{1}{2}$ -pint).     |
| 18 knives.  | 2 frying pans.                  |
| 12 forks.   | 1 large tin bath } for scullery |
| 12 iron spoons.   | 1 zinc pail } work.             |
| 12 wooden spoons.   | 18 plates.                      |
| 3 tea spoons.   | 4 dishes.                       |
| 2 bread tins.   | 4 scrubbing brushes.            |
| 3 baking sheets.  | 1 knife-board.                  |
| 1 Yorkshire pudding tin.                                      | 1 pair scales and weights.      |
| 12 patty pans.  | 1 gill measure.                 |
| 3 jugs.   | 1 $\frac{1}{2}$ -pint measure.  |
|   | 1 pint measure.                 |

(The utensils named below are not absolutely necessary, but convenient.)

|                  |                                    |
|------------------|------------------------------------|
| 1 kettle.        | 1 wire sieve.                      |
| 1 colander.      | 2 round cutters (different sizes). |
| 1 flour dredger. |                                    |

SUGGESTED GRADUATED SCHEME OF INSTRUCTION IN COOKERY  
IN PUBLIC ELEMENTARY SCHOOLS.

*First Year.*—Cookery principles and primary methods illustrated by simple dishes. The choice and cost of materials. Cleaning, lighting, and management of stove. Scullery work.

*Second Year.*—Instruction should be given on the various food stuffs, *i.e.*, cereals, pulse fruits, vegetables, meats, and fish; beverages. The dietary value of food. Digestion of albumen, starch, fat. More advanced dishes should be demonstrated and practised at each lesson, illustrating over again the primary methods taught in the first-year course.

*Third Year.*—Complete dinners should be cooked by groups of children attending the class. The price of the dinner and the number of persons for whom it is intended should be written on the black-board. Instruction should be given on—

- (a) Expenditure of wages on food.
- (b) The making of preserves.
- (c) Use and abuse of tinned foods.
- (d) Vegetarian diets.
- (e) Preparation of food suitable for infants.

The scholars should have practice in drawing up menus of dinners suitable for an artisan family, stating the price and season of the year.—Revised Instructions, Appendix 5.

Each girl must attend at least 40 hours in year (not more than 8 hours in one week or 4 in one day); not less than 20 hours cooking with her own hands; not less than 14 hours at demonstration.

For practice class 18 girls (over 11 years of age), and for demonstrations 54 girls are allowed. In seaport towns boys over 12, with approval of Board of Education, may be instructed in cookery.—Article 101 (*g*), Day School Code.

For rules as to grants for cookery, see also Grants, page 111.

Teachers' cookery diplomas and diplomas in laundry work are of two kinds—(*a*) The full diploma; (*b*) the limited diploma for certificated teachers only.

Diplomas are granted on examinations after a period of training in recognised training schools.

The regulations may be obtained on application to the Board of Education.

The Board of Education state—

“Cookery has been taught during the past year in 3,769 schools, in 3,747 departments of which the inspectors have been satisfied with the arrangements made for its practical teaching, and 220,405 girls and 3 boys have earned the grant at the rate of 4s. In 1900 the subject was satisfactorily taught in 3,676 schools, and 215,405 girls earned the grant.”—Report 1901-2, page 21.

## Corporal Punishment.

### *Register of Punishment.*

37. A separate book must be kept in which every case of corporal punishment inflicted in the school should be entered.—(Revised Instructions.)

Formerly the general rule was that corporal punishment should not be administered to girls and infants, and that in the case of boys it should only be administered by the principal teacher, whose duty it should be to record each case in the punishment book.

This rule has been relaxed by several of the leading school boards, who have adopted the practice of the London School Board, described in the following extract ("The Work of the London School Board." Pages 180 and 181):

"Corporal punishment is rarely administered in the presence of those not immediately connected with the school. The instrument of punishment is a cane about two feet long, which is supplied by the board. Every case of corporal punishment that is inflicted by the head teacher or his staff must be recorded in a book kept for that purpose, with date, name of child, nature of the offence, the amount and kind of chastisement, together with the name of the teacher who inflicts it. The head teacher is primarily responsible for all punishments, but he may by written declaration delegate his authority to any of his assistants whom he may consider fit to exercise it. Revocation of this authority must also be in writing. Pupil teachers are not allowed under any circumstances to administer this kind of punishment. The head teacher, moreover, is directed to exercise a strict supervision over it, and to initial any recorded case. The turbulent spirits of the boys bring down upon them most of this form of retribution. The girls, as a rule, receive but little chastisement, and among the infants it is extremely rare. But even among the boys corporal punishment is not frequently administered."

**Correlation of Education.**—In order to prevent overlapping and to ensure economy in the provision of education supplied at the public cost, there have been entered into in several large towns schemes of correlation of instruction. These arrangements have been made principally by the school boards and technical instruction committees. The following diagram, illustrating the correlation of education in Manchester, shows how, by arrangement entered into by the School Board, the Technical School, the Secondary Schools, and the Owens College, the various educational institutions of the city have been so arranged as to serve the interests of all.

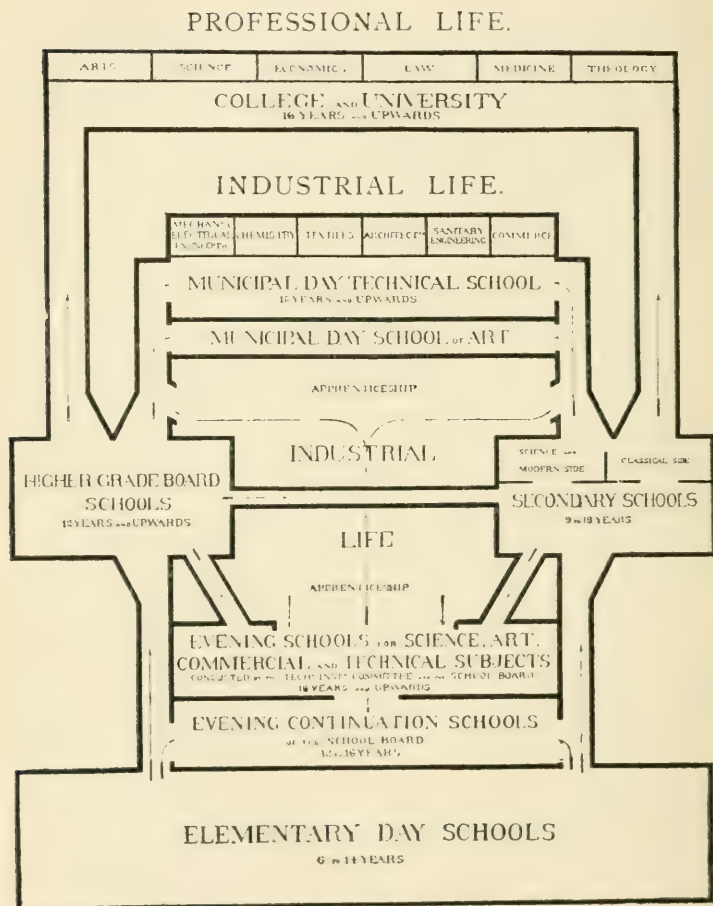


DIAGRAM ILLUSTRATING THE  
CORRELATION OF EDUCATION  
IN THE  
CITY OF MANCHESTER.

**Correspondent for Schools.**—The Code for Day Schools provides for the appointment of a correspondent.

9. (a) The managers are required to appoint a correspondent with the Board, who must not be any paid teacher in the school.

Notice should at once be given to the Board of any change of correspondent occurring during the school year. The notice should be signed by the outgoing correspondent, or by the chairman of the managers.

**Councils of Counties, County Boroughs, Non-County Boroughs, and Urban Districts.**—There are 62 councils of counties (administrative areas); 67 county boroughs, the councils of which have entire control of education so far as the Act of 1902 is concerned; and 140 non-county boroughs. The councils of those with a population of over 10,000 are, with the 61 urban districts of 20,000 population, authorities for elementary education, and for the purposes of higher education may spend money, including not more than a penny rate.

Smaller boroughs and smaller urban district councils (853) have also similar powers with regard to the penny rate for higher education.

**Courses of Instruction.**—See pages 134 and 184.

**Crippled Children.**—Provision by means of special schools or classes may be made for physically defective children within the meaning of section 1 of the Act of 1899 (Defective and Epileptic Children)—that is, not being imbecile and not merely dull or backward, are defective by reason of mental or physical defect, are incapable of receiving proper benefit from the instruction in the ordinary public elementary schools, but are not incapable of receiving benefit from instruction in special schools or classes. (See Act of 1899, page 449, Minute of Board of Education (Defective, etc., Children), Feb. 26th, 1900, page 520, and Defective Children, page 68.)

**Cruelty to Children.**—The Prevention of Cruelty to Children Act, 1894, in Clauses 1 and 2, will enable a local authority (not in possession of the special powers enjoyed by Liverpool and Manchester, etc.), to deal with street hawking, etc., at any time by children under 11 years of age. (See page 492.)

**Customs and Excise Act.**—See Local Taxation (Customs and Excise) Act, 1890. Page 462.

**Dairy Work.**—Classes limited to 14 scholars (Article 101 (i) of Day School Code). Each girl must attend not less than 20 lessons (of at least two hours each) in year.

Dairy work taught during past year in two schools only.—Report, 1901-2, page 21. (See Grants, page 111.)



**Day Schools.**—See Public Elementary Schools, page 193.

**Defective Children.**—The Elementary Education (Defective and Epileptic Children) Act, 1899, empowers local authorities to make provision for the education and training of defective and epileptic children.

The Act is permissive in character so far as adoption by the local authority is concerned, but where a special class or school is within reach of the child's residence the obligation is imposed on the parent to educate a defective or epileptic child between 7 and 16 years of age.

The local authority, having submitted their scheme to the Board of Education, may provide education for defective children by special classes in day schools, or by boarding out, or by establishing certified schools.

For epileptic children they may provide certified schools.

Extensive powers are contained in the Act for contributing to schools, on such terms, and to such an extent, as may be approved of by the Board of Education, towards the establishment, enlargement, or alteration, and towards the maintenance of certified schools. No establishment for boarding defective or epileptic children may accommodate more than 15 children in one house, or comprise more than four such houses.

See Act of 1899, page 449, Minute of Board of Education, page 520, Crippled Children, page 67, Epileptic Children, page 82, Mentally Deficient Children, page 172, and Grants, page 111.

The Board of Education state—

“Further progress has been made with the administration of the Elementary Education (Defective and Epileptic Children) Act, 1899. The Act has now been adopted and satisfactory arrangements for the instruction of defective children have been submitted by the School Board for London, for 26 county boroughs, for 6 non-county boroughs, and for 4 parishes, as well as by the councils for 3 municipal boroughs not under school boards, for 1 urban district, and for 6 rural districts. The benefits of the Act have therefore become available for the defective children of about one-third of the population of England and Wales. Certificates under the Act have been issued during the year to 109 day schools and classes for defective children. Of these, 63 are maintained by the School Board for London, 45 by 21 other school boards, and 1 by private enterprise. The total numbers for the previous year were 87, and the increase has therefore been 22. These schools now provide accommodation for 4,688 defective children, as against 3,751 in 1901. One certificate under the Act is held by a boarding school, which provides accommodation for 15 defective girls. The number of day schools for defective children inspected for grants during the year ended 31st August, 1901, was 79, and the number of

children under instruction in them 3,277, of whom 804 were classed as "older children" and 2,473 as "younger children." The teaching staff consisted of 79 certificated and 108 assistant teachers, all of whom are women. The estimate of the Departmental Committee, that special provision was required for about 1 in 100 of the children belonging to the elementary school class, has been confirmed by the investigations of the London School Board into the statistics of defectiveness in parts of their area. Three boarding-out committees have been formed in connection with certified day schools.

"We regret that no provision has yet been made for epileptic children under the Act.

"With regard to the provision for defective children we desire to note that at present it is almost entirely made in day schools. These are economical, although they sometimes entail considerable expense in conveyance, and they enable the children to live at home, which is in certain, but not in all, cases desirable. But they do not bring them for a sufficiently long period under the control of the teachers, and the want of proper nutrition and clothing often militates against progress. There is a growing feeling, to which we hope that effect will be given, in favour of the establishment of cottage homes. Many of the day schools are still conducted in temporary buildings, as the authorities by whom they are maintained consider their present arrangements tentative, and await further experience before making more extensive and permanent provision. There is a tendency to abandon the small schools of one or two rooms, originally adopted in favour of larger centres, comprising four, six, or eight rooms. The larger school admits of freer classification, and thus removes one of the great obstacles in the way of giving suitable instruction: and as the authorities are authorised by the Act to pay the cost of conveyance, the difficulty of transit is not an insuperable one.

"The reports of the inspectors speak very highly of the care and pains bestowed by the teachers upon defective children. The methods of instruction, however, are often too much confined to the lines of an ordinary public elementary school. It is forgotten that the children are removed from such schools precisely on account of their inability to profit by the ordinary methods. The most successful teachers are those who are most ready to recognise this fact and to seek out new avenues to dormant intelligences. About three-quarters of the children speak imperfectly. In a good school, speech and articulation play a considerable part in the curriculum. It is useless to attempt the teaching of reading until the elements of speech are mastered: and when this is generally recognised, less will probably be heard of the hopelessness of the reading lessons in the special schools. In some of the best schools manual instruc-

tion takes the form of instruction in the duties of the household, instead of the conventional kindergarten employments. Any exercise with an industrial trend is likely to gain the respect of the children, and to make them feel less of "anti-socials" for the contribution of something useful as the result of their efforts."—Report 1901-2, page 38.

**Denominational Schools.**—Denominational or voluntary schools, in future to be known as "non-provided" schools under the Act of 1902.

According to the report of the Board of Education the accommodation and average attendance of these schools on 31st August, 1901, were as follow:

|                                 | Accommodation. | Average attendance. |
|---------------------------------|----------------|---------------------|
| National or Church of England.. | 2,804,230      | 1,882,184           |
| Wesleyan .....                  | 183,571        | 126,879             |
| Roman Catholic .....            | 400,730        | 257,383             |
| British and other schools ..... | 324,759        | 215,926             |

|                                |           |           |
|--------------------------------|-----------|-----------|
| Totals for voluntary schools.. | 3,713,290 | 2,482,372 |
|--------------------------------|-----------|-----------|

**Deputations and Conferences.**—There was established in 1893 an Association of School Boards for England and Wales, which ultimately embraced school boards having a population of over 18,000,000 out of a population of 23,000,000 in school board districts.

Difficulties very soon arose regarding travelling and hotel expenses of representatives attending meetings of the association. These expenses were in many cases surcharged by the district auditor, and, on appeal, the surcharges were upheld by the Local Government Board. The association took action in the matter, and were enabled to secure the passing through Parliament of the School Board Conference Act, 1897. (See page 438.)

The Board of Education, by minute dated 16th January, 1898, made the following regulations for payment of expenses under the Act:—

(1) A School Board may pay the actual travelling expenses incurred by any member of the board, or by the Clerk of the Board, in attending a School Board Conference.

(2) In addition to such actual travelling expenses, a School Board may allow to each member or clerk so attending a sum not exceeding—

10s. 6d. per diem, when not absent from home at night.

£1 1s. per diem, when absent from home at night, if necessary.

(3) The annual subscription paid by the School Board of any district towards the expenses of the conference shall not exceed—

£1 1s. for School Boards in districts having a population not exceeding 50,000 according to the latest census published.

£2 2s. for School Boards in districts having a population exceeding 50,000 and not exceeding 100,000 according to such census.

£3 3s. for School Boards in districts having a population exceeding 100,000 according to such census.

Looking to the fact that the accounts of the local education authorities now come under the control of the Local Government Board, the provisions of this Act of Parliament will be exceedingly useful for the holding of conferences.

**Detention of Children.**—Under sec. 4 of the Youthful Offenders Act, 1901, a court of summary jurisdiction may, on remanding or committing for trial any child or young person, remit him to the custody of a fit person named in the commitment instead of sending him to prison, and the council of any county or borough may defray the cost of maintenance. (See Youthful Offenders Act. Page 502.)

In order to prevent the association with criminals of young delinquents charged under the Industrial Schools Acts it has now long been the custom to send such children to the work-house during remand. The legislation quoted gives further assistance in this direction, as it enables the local authorities for education to provide means of safe custody, apart from the prison. The Treasury allowance under section 4 (6) of the Act has, in industrial school cases, been fixed at 9d. per day. (See page 133.)

**Domestic Subjects, Instruction in.**—Under the Day School Code instruction may be given to girls in cookery, laundry work, and housewifery, a term which applies to the maintenance and care of the house and its inmates in health and in sickness. The London School Board have paid great attention to this matter, and have drawn up graduated schemes of instruction, at centres where suitable accommodation is provided. The following account of one of these domestic economy schools is taken from "The Work of the London School Board" (P. S. King and Son, London):—

"The housewifery centre is on the ground floor, and consists of (1) a lecture room, 20 ft. by 16 ft. 3 in.; (2) a bedroom, 16 ft. 6 in. by 11 ft.; (3) a sitting-room, 14 ft. by 13 ft. 9 in.; (4) a kitchen and scullery, 22 ft. by 15 ft. 6 in. These rooms are furnished and fitted as a model working-man's house, except that more cupboard room is provided, to allow for the larger number of working utensils—*e.g.*, brushes, etc., required for a class of girls working. By careful arrangement of colours the children are taught that usefulness and art may be combined, and comfortable substitutes for cheap stuffed furniture are placed before the children's eyes. All the utensils provided in these centres are those used by the artisan class. A cottage stove is fixed in the kitchen, and the children cook daily the dinners for themselves and the teachers. On the second floor, and over the rooms indicated, there is a cookery centre and a laundry centre, fitted with all the appliances for teaching cookery and



laundry work effectively. During the first part of a girl's training she works in these centres with all the aid of the various appliances, but during the third stage in the housewifery kitchen the work is done under the ordinary conditions of the working-man's house, and with as few appliances as possible. All the rooms are lofty and well ventilated, especially the laundry, and the building is erected apart from the ordinary school in a corner of the playground.

"The cookery centre is a room, 30 ft. by 22 ft., with a fixed square counter. The teacher, being in the middle, is able to see the children at work, and the counter provides a large amount of space for efficient practical work. Gas stoves and close and open ranges are provided, so that the children may become familiar with the use of the various kinds of stoves in the dwelling-houses of both the better and middle as well as the artisan class. The children are taught the use of various utensils, and afterwards how to manage without them—*e.g.*, cups, spoons, and other ordinary kitchen utensils are used, and at the same time practice is also given in the use of ordinary weights, measures, and scales. At one end of the room a raised gallery is fixed with desks, where the children sit to receive their lectures, take notes, and see the teacher demonstrate the dishes the children are afterwards to practise.

The laundry centre is a room, 30 ft. by 22 ft. This also has a raised gallery at one end, where the girls sit during the lecture and demonstration. A copper for boiling water or boiling the clothes is placed near a sink, and a large stove, sufficient for heating 36 irons, is placed in a recess in one corner of the room. A large zinc screen is made to cover the front of this stove, so as to prevent some of the heat radiating into the room. The iron tables and washing stools and tubs are all movable, and are such as are used in the artisan homes of London. No special machinery is allowed; all the washing being done by hand, excepting the very coarse articles, which are washed on a grooved board. This prevents the destruction of the clothes, so disastrous in the steam laundries. Only ordinary household appliances for drying are used, so that the children are familiar with the work as it is done in the home.

"There is a graduated course of instruction extending over three years."

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The older girls (over 11 years of age) attend one day per week at the centre, and the following are the arrangements for their attendances:—

At the commencement of the ninth month of the educational year, head teachers of girls and mixed schools are required to fill up a form giving a list of the approximate number of girls of 11 years of age, and who will arrive at the age of 11 years before the end of the ensuing summer holidays and before the commencement of the



following February. They should state on the form upon what respective half-days they would prefer their girls to attend the centres for instruction in domestic subjects, as well as the names of the centres they would like the girls to attend, and head teachers of higher grade schools must also state whether or not they desire to withhold their girls in Standards VII. and ex-VII.

These forms are tabulated and dealt with at the Head Office, and the final arrangements are communicated to the head teachers and teachers of domestic subjects concerned in due course. Every effort is made to meet the wishes of head teachers in the allotment of the available accommodation, but it is, of course, impossible to satisfy their requirements in every case. Head teachers are responsible for properly grouping their girls for the progressive stages of instruction.

The complete syllabus of instruction in domestic subjects covers a period of three years, and is graded as follows:—

|                    |     |  |                          |
|--------------------|-----|--|--------------------------|
| <i>First Year</i>  | ... | Six months' cookery.   | Six months' laundrywork. |
| <i>Second Year</i> | ... | Six months' cookery.   | Six months' laundrywork. |
| <i>Third Year</i>  | ... | Twelve months' housewifery or six months' advanced course in a cookery centre and six months' advanced course in a laundry centre. |                          |

The late Medical Officer of the London School Board, speaking of this kind of instruction, said:

"I am convinced that domestic science, if efficiently taught, will have a far-reaching influence on the health and well-being of the population. The full fruit of such teaching will, however, ripen but slowly. Its effects will be felt gradually, and in proportion to the extent to which it will find its way in practice into the homes of the people, and to the efficiency with which it will be carried out there. It will tend to guide the men and women of the future to husband their means, and to use them in a manner which will be beneficial to themselves and to others. They will have clearer ideas as to how to guard against many discomforts, misfortunes, and diseases to which their progenitors, in their ignorance, are now a prey. As a result, they will have greater home comfort, and will live happier lives. They will reach to a higher standard of health, and attain to a longer duration of life. They will be stronger both in body and mind, and have greater capacity for work. In the aggregate, the nation will be enormously strengthened to work out its destiny in the ages to come."

**Drawing Instruction.**—Infant Schools, page 134; Older Children, 184; Evening Schools, 85; Science and Art, 251.

**Dressmaking: Instruction in.**—As a practical development in the courses of needlework provided by the Code, dressmaking and the use of the sewing machine are now being taken in higher grade schools, and form a popular subject for evening schools. The object is not to teach the trade of dressmaking, but to place in the hands of girls and young women the power

to cut out and fit simple dresses for themselves. The City and Guilds of London Institute now hold yearly examinations in dressmaking at local centres, and classes preparatory for these examinations afford capital training for teachers desirous of qualifying as instructors in dressmaking in day and evening schools.

The system known as "Dressmaking by Tailor Measurement" has proved very successful. Teachers should be competent to teach a class of at least 20 pupils, and to demonstrate from the blackboard the taking of measurements for bodices and the draping of dresses. The patterns are cut out by the pupils first in brown paper, then in their own dress materials. They measure one another on the lines taught by the teacher. Expensive charts, which invariably accompany all schemes of what is known as "Scientific Dressmaking," are out of the question in the case of the girls who attend public elementary schools or evening schools. The accessories in a dressmaking class of the kind I have described are: (1) A simple diagram (costing 5d.): (2) a tailor's measure (3s.): (3) a wheel for piercing patterns (4d.).

**Drill.**—See Physical Exercises. Page 187.

**Education Acts.**—Short title.

Sec. 27.—(4) This Act may be cited as the Education Act, 1902, and the Elementary Education Acts, 1870 to 1900, and this Act may be cited as the Education Acts, 1870 to 1902.—Act of 1902.

**Education Committees.**

#### GENERAL.

17.—(1) Any council having powers under this Act shall establish an education committee or education committees, constituted in accordance with a scheme made by the council and approved by the Board of Education: Provided that if a council having powers under Part II. only of this Act determine that an education committee is unnecessary in their case, it shall not be obligatory on them to establish such a committee.

(2) All matters relating to the exercise by the council of their powers under this Act, except the power of raising a rate or borrowing money, shall stand referred to the education committee, and the council, before exercising any such powers, shall, unless in their opinion the matter is urgent, receive and consider the report of the education committee with respect to the matter in question. The council may also delegate to the education committee, with or without any restrictions or conditions as they think fit, any of their powers under this Act, except the power of raising a rate or borrowing money.

(3) Every such scheme shall provide—

(a) For the appointment by the council of at least a majority of the committee, and the persons so appointed shall be persons who are members of the council, unless in the case of a county the council shall otherwise determine;

- (b) For the appointment by the council, on the nomination, or recommendation, where it appears desirable, of other bodies, including associations of voluntary schools, of persons of experience in education, and of persons acquainted with the needs of the various kinds of schools in the area for which the council acts;
- (c) For the inclusion of women as well as men among the members of the committee;
- (d) For the appointment, if desirable, of members of school boards existing at the time of the passing of this Act as members of the first committee.

(4) Any person shall be disqualified for being a member of an education committee, who, by reason of holding an office or place of profit, or having any share or interest in a contract, or employment, is disqualified for being a member of the council appointing the education committee. But no such disqualification shall apply to a person by reason only of his holding office in a school or college, aided, provided, or maintained by the council.

(5) Any such scheme may, for all or any purposes of this Act, provide for the constitution of a separate education committee for any area within a county, or for a joint education committee for any area formed by a combination of counties, boroughs, or urban districts, or of parts thereof. In the case of any such joint-committee, it shall suffice that a majority of the members are appointed by the councils of any of the counties, boroughs, or districts out of which or parts of which the area is formed.

(6) Before approving a scheme, the Board of Education shall take such measures as may appear expedient for the purpose of giving publicity to the provisions of the proposed scheme, and before approving any scheme which provides for the appointment of more than one education committee shall satisfy themselves that due regard is paid to the importance of the general co-ordination of all forms of education.

(7) If a scheme under this section has not been made by a council and approved by the Board of Education within twelve months after the passing of this Act, that Board may, subject to the provisions of this Act, make a provisional order for the purposes for which a scheme might have been made.

(8) Any scheme for establishing an education committee of the council of any county or county borough in Wales or of the county of Monmouth or county borough of Newport shall provide that the county governing body constituted under the Welsh Intermediate Education Act, 1889, for any such county or county borough shall cease to exist, and shall make such provision as appears necessary or expedient for the transfer of the powers, duties, property, and liabilities of any such body to the local education authority under this Act, and for making the provisions of this section applicable to the exercise by the local education authority of the powers so transferred. (Act of 1902.)

The first work before the councils, having powers under the Act, will be the drawing up of schemes for the constitution of the education committees. These schemes must provide for the representation described in sub-section 3. In the House of Commons, on October 22nd, 1902, it was pointed out by Mr. Balfour that notwithstanding the disability of clergymen of the Church of England, priests of the Roman Catholic Church, and Nonconformist Ministers to be members of town councils, they

can be members of the education committee of the local education authority.

The following explanations regarding education committees were given in Parliament :

17. (1). *As to relationships between the Local Authority and the Education Committee.*

Sir W. Anson (Secretary of the Board of Education) said "he would state what he conceived the relations between these bodies would be. The local education authority would not act through a committee, but it would be bound to ask the advice of the committee. If the committee did not advise at all, if it were unwilling to advise or incapable of advising, or if its advice—as might sometimes happen, though he believed that such instances would be very rare—should not be such as the council thought it desirable to follow, the local education authority would act either without the advice of the committee or contrary to it; but, in any case, the local education authority would be the body that would act in the matter. . . . What he wished to impress upon the committee was that the popularly chosen body was and would be supreme, but that it could delegate most of its powers, with the exception of its financial powers."—(Commons, 5th November, 1902.)

17. (1). *Education Committee or Education Committees.*

Sir William Anson said "it would be undesirable to fetter the local education authority in its arrangements as to the mode in which it should get educational advice within its area. There would be no obligation on the local authority to appoint more than one committee, but it might be desirable, and even necessary, in a large area to have more than one. The unity the hon. member desired for all kinds of education would be found in the local authority itself." And on the same day

Mr. Balfour said: "We have from the beginning, and from the day I introduced the bill, contended that it would be a great misfortune if education was not now co-ordinated, but divided between School Boards and technical instruction committees, thus perpetuating them under new names under this bill. But while I sympathise with that general view of policy, I am very reluctant to limit the discretion of the education authority unduly. We must be very careful what we do in this matter, and not tie their hands too closely in matters which concern their proper function of dealing with secondary education." . . . "I have been trying in a rough way to draft words which I think would carry out the views of the hon. gentlemen opposite. I do not think they will come in here, and it is very likely they will require some modification at the hands of the Attorney-General. My idea was to introduce later on in the clause words something like these—'If the scheme provides more than one committee, regard shall be had under the scheme to the need for co-ordinating the different kinds of education.' That, I think, would not lay down a hard and fast rule, but it would be an indication to the local authorities that the Education Department, in approving the scheme, must not lose sight of the primary object of the scheme, namely, to co-ordinate all kinds of education."—(Commons, 5th November, 1902.)

17. (1). *Control of Board of Education.*

Sir Robert Finlay (Attorney-General) said "doubtless hon. members would agree as to the desirability of a certain amount of co-



ordination, and the Board of Education was that which, after all, must remain the central authority, to see that there is no more divergence in the schemes than local circumstances required. It was left entirely with the local authority to frame its scheme, and there was no regulation whatever with a view to bringing the various schemes into relation with one another. There was no desire to tyrannise over the local authorities, but surely it was desirable that the experience possessed by the central authority as to what had been found to work well in one locality should be at the service of another locality."—(Commons, 5th November, 1902.)

17. (1). *Proviso regarding Council having Powers under Part II. only.*—This refers to boroughs of under 10,000 and urban districts of under 20,000 inhabitants having concurrent powers with regard to higher education, but none with regard to elementary education, consequently not local education authorities under the Act.

17. (1). *Tenure of Office.*

Sir William Anson said "what the Government really desired was that the tenure of office of the members of the committee should be precisely what the local education authority should give it, whether long or short. . . . Their tenure of office, whatever it might be, would have to be determined by the schemes to be framed by the councils, and approved of by the Board of Education."—(Commons, 5th Nov., 1902.)

17. (2). *Business referred to Education Committee.*

In answer to an inquiry as to what would be the effect, in the first instance, of the words, "shall stand,"

Sir Robert Finlay said that "the matter would be communicated to the clerk of the council, and he would be bound to send it to the education committee."

Mr. Balfour said, during the same debate, "if the word 'be' were substituted for 'stand,' that would be introducing another link in the general administrative chain, which could only lead to delay. Take the case of a matter regarding which authority had been delegated to the committee. Under the word 'stand' it would go before the council and before the committee; the council might not meet for two or three months, but meantime the committee would consider it. If the case were of a different character, and dealt with a matter not delegated, then it would go at once before the committee, and before the county council as soon as it met. The council would await the report of the committee before taking action, and, if the report were too long delayed, it would take action on its own account. What could be more simple, or more expeditious, or what could more amply secure both the administrative autonomy and power of the education authority, and, at the same time, the advisory position and dignity of the education committee?"—(Commons, 6th Nov., 1902.)

17. (2). *Power of Local Authority to act without reference to Committee.*

On the discussion of Clause 17, and after the submission of a Government amendment, subsequently amended by omission of the words "if any" after "consider the report" (Section 2 of Clause 17



of the Act), as to the power of the local authority to act without reference to the committee.

Sir Robert Finlay said: "The effect of the word is that, *ipso facto*, the matter shall be referred to the education committee. In practice, with or without their report, the local education authority can take such action as it may think fit."—(Commons, 6th Nov., 1902.)

17. (3 (a).) *Councillors on the Committee.*

Sir William Anson said that "the Government were agreed in desiring that a majority of the education committee should be members of the local authority, and the form of words which they were prepared to accept was as follows: 'For the appointment by the council of at least a majority of the committee who shall be members of the council unless the council shall otherwise determine.'\* The Government left it optional to this extent, that if the local education committee deliberately, by express resolution, decided that it would not have a majority of its own body on the committee, it should be competent for them to take that course."—(Commons, 6th Nov., 1902.)

17. (3 (b).) *Other bodies and persons acquainted with, etc."*

Sir Robert Finlay said "the words were perfectly clear, and surely it was desirable that a committee should have the assistance of persons who were familiar with the schools of the various denominations. With regard to the expression 'other bodies,' he instanced Owens College as one of the bodies from which nomination might be desirable."—(Commons, 6th Nov., 1902.)

Mr. Balfour also said "he did not see on what principle of justice the hon. gentleman desired to exclude any other institution, such as the Association of Voluntary Schools, from representation. They were going, rightly or wrongly, to place the denominational schools under the control of the education authority, and to insist that upon every board of management of voluntary schools there should be a representative of the local education authority. Was it not common fairness that they should have, not a preponderating representation, nor even a numerically important representation, but at all events someone on the education committee through whom they might make their views heard? Although that was a perfectly sound view as regarded all denominational schools, probably it was of less real importance when they were dealing with Anglican schools, or even Wesleyan schools, than it was when they were dealing with Roman Catholic schools. There ought to be someone on the education committee to represent Roman Catholic schools in regard to any action the committee might take which specially affected those schools."—(Commons, 7th Nov., 1902.)

17. (3 (c).) *Women are to be Members of the Committee.*

17. (3 (d).) *Members of School Boards*, if desirable, to be appointed members of the first committee.

17. (4). *Disqualification of Members.*—In respect of office, contract, or employment, not to apply to a person holding office in a school or college, aided, provided, or maintained by the council.

17. (5) and (6). *Separate Education Committees.* (See note on sec. 17 (1)).

\* Altered in county boroughs by Mr. Voxall's amendment.—See exact wording of 17 (3 (a).)

17. (7). *Scheme to be Made within Twelve Months of Passing of Act.*

17. (8). *Welsh Education Committers.*—This sub-section was inserted to avoid dual control in Wales.

Proceedings, etc., of Committee.

*First Schedule.*—A. (1) The council by whom an education committee is established may make regulations as to the quorum, proceedings, and place of meeting of that committee, but, subject to any such regulations, the quorum, proceedings, and place of meeting of the committee shall be such as the committee determine.

(2) The chairman of the education committee at any meeting of the committee shall, in case of an equal division of votes, have a second or casting vote.

(3) The proceedings of an education committee shall not be invalidated by any vacancy among its members or by any defect in the election, appointment, or qualification of any members thereof.

(4) Minutes of the proceedings of an education committee shall be kept in a book provided for that purpose, and a minute of those proceedings, signed at the same or next ensuing meeting by a person describing himself as, or appearing to be, chairman of the meeting of the committee at which the minute is signed, shall be received in evidence without further proof.

(5) Until the contrary is proved, an education committee shall be deemed to have been duly constituted and to have power to deal with any matters referred to in its minutes.

(6) An education committee may, subject to any directions of the council, appoint such and so many sub-committees, consisting either wholly or partly of members of the committee, as the committee thinks fit. (Act of 1902.)

For specimen Standing Orders see page 256.

**Elementary Education.**—Powers and Duties of Local Education Authority as to Elementary Education.

Sec. 5.—The local education authority shall throughout their area have the powers and duties of a school board and school attendance committee under the Elementary Education Acts, 1870 to 1900, and any other Acts, including local Acts, and shall also be responsible for and have the control of all secular instruction in public elementary schools not provided by them, and school boards and school attendance committees shall be abolished. (Act of 1902.)

Sec. 22.—(1) In this Act and in the Elementary Education Acts the expression "elementary school" shall not include any school carried on as an evening school under the regulations of the Board of Education.

(2) The power to provide instruction under the Elementary Education Acts, 1870 to 1900, shall, except where those Acts expressly provide to the contrary, be limited to the provision in a public elementary school of instruction given under the regulations of the Board of Education to scholars who, at the close of the school year, will not be more than sixteen years of age. Provided that the local education authority may, with the consent of the Board of Education, extend those limits in the case of any such school if no suitable higher education is available within a reasonable distance of the school. (Act of 1902.)

**Elementary Schools.**—See Public Elementary School. Page 193.

**Employment of Children.**—The report of the Inter-departmental Committee on the employment of school children appointed by the Secretary of State for the Home Department has now been issued. The conclusion the Committee has arrived at is that, while it is neither desirable nor practicable that the employment of such children out of school hours should be totally prohibited, it is essential that it should be regulated in respect of (i) the hours between which the child may be employed; (ii) the age at which the employment should begin; and (iii) the number of daily or weekly hours beyond which the child may not work. Special regulations are recommended in the case of street trading, and for the prohibition of employment in occupations dangerous to health and morals. It is recommended that these regulations should be enforced by bye-laws to be made by the county and borough councils and confirmed by the Home Office. These bye-laws would be quite distinct from bye-laws made by school authorities under the Elementary Education Acts with the object of securing the presence of the child at school. With regard to the provisions of these Acts as to school attendance and employment, the Committee are of opinion that much of the difficulty of enforcing them arises from the complexity of the law, and from the fact that in many cases the statutes and the bye-laws cover the same ground. They recommend that the law should be consolidated and simplified; that those parts which are of uniform application through the country should be embodied in direct statutory enactments, and that the bye-laws should deal only with those points in which local variations are allowed.—Report, 1901-2, pp. 39-40.

Section 5 of Act of 1876 prohibits employment of child under 10. This age was ultimately extended to 12 by Section 1 of the School Attendance Act of 1899, subject to the restrictions therein contained.

Section 6 of Act of 1876 renders employer acting in contravention liable to a penalty not exceeding 40s. (See exceptions and exemptions contained in sections 9 and 39.)

Section 29 of Act of 1876 gives power to local officer to enter place of employment.

Section 47 of Act of 1876 gives definition of employment in case of parent. (See Street Trading by Children, page 259.)

### **Endowments.**

13.—(1) Nothing in this Act shall affect any endowment, or the discretion of any trustees in respect thereof: Provided that, where under the trusts or other provisions affecting any endowment the income thereof must be applied in whole or in part for those purposes of a public elementary school for which provision is to be made by the local education authority, the whole of the income or the part thereof, as the case may be, shall be paid to that authority, and in case part only of such income must be so applied, and there is no provision

under the said trusts or provisions for determining the amount which represents that part, that amount shall be determined in case of difference between the parties concerned by the Board of Education, but if a public inquiry is demanded by the local education authority, the decision of the Board of Education shall not be given until after such an inquiry, of which ten days' previous notice shall be given to the local education authority, and to the minor local authority and to the trustees, shall have been first held by the Board of Education at the cost of the local education authority.

(2) Any money arising from an endowment and paid to a county council for those purposes of a public elementary school for which provision is to be made by the council, shall be credited by the council in aid of the rate levied for the purposes of this part of this Act in the parish or parishes which, in the opinion of the council, are served by the school for the purposes of which the sum is paid, or if the council so direct shall be paid to the overseers of the parish or parishes in the proportions directed by the council, and applied by the overseers in aid of the poor rate levied in the parish.—Act of 1902.

### ENDOWMENTS.

On the introduction of the clause dealing with endowments [Clause 13 (1) (2) of Act],

Sir William Anson said that "the clause was introduced in conformity with an undertaking given by the Prime Minister some time ago that the question of endowments would have to be dealt with in a separate clause, having regard to the double ownership which subsisted in the non-provided schools. The clause was to ensure, where the trust under which the endowment was held indicated that the income was to go in a direction which placed it in the possession of the local authority, it should reach the local authority, and where the trust left it in the hands of the managers it should be assured to the managers. The majority of trusts were general in character, and the clause proposed to leave them in the discretion of the managers or trustees. But there were other endowments appropriated to particular purposes, endowments for teachers' salaries and other objects, for which the local authority were required, under the Bill, to make provision. These went to the local authority. The object of the clause was to interfere with the discretion of the trustees as little as possible, but to ensure that where the trust indicated the particular direction of the endowment that direction should be followed out. He thought that was all that it was necessary to say in regard to the first portion of this proposal. As regards the appropriation of the money where it was placed in the hands of the local authority, the question arose who should continue to be benefited by the income arising from the trust, and the answer obviously was the parish or parishes which the school was intended to serve, and the income arising from the endowment would go in aid of the rate of that particular parish. It might appear to the local authority that it would be more convenient simply to credit the parish with the amount of the rate they would be



charged with, or it might be more convenient that the money should be paid to the overseers. That was left to the discretion of the local authority.”—(Commons, 17th November, 1902.)

In reply to a question asked as to whether the new clause with regard to endowments will apply to endowments administered under a charity commission scheme; if so, in what way will it affect schools entirely maintained by the endowment, but on the list of schools supplying elementary education to the district and inspected by His Majesty's Inspectors: and how will it affect schools in which the endowments are used partly for elementary and partly for secondary education, but which receive the Parliamentary grant,

Mr. Balfour said: “The clause referred to will apply to endowments under schemes in the same manner as to endowments under ordinary trusts. The schools referred to in the second paragraph of the question would appear not to be public elementary schools, but merely certified efficient schools; such schools will not be affected by the clause. The answer to the third part of the question must depend in each case upon the terms of the trust or scheme.”—(Commons, 17th November, 1902.)

As to application of small endowments, see Section 75 of Act of 1870. The powers of the Endowed Schools Act, 1869, were increased by the Endowed Schools Act, 1873.

Refer also to Section 2 (2) of the Board of Education Act, 1899. Also to Sec. 13, Act of 1873, giving local authorities power to accept gifts for educational purposes.

**Epileptic Children, Instruction of.**—For general powers of local authority, see *Elementary Education (Defective and Epileptic Children) Act, 1899*, page 449; *Defective Children*, page 68; *Mentally Deficient Children*, page 172; and *Regulations of the Board of Education*, page 520.

#### ESTIMATED COST OF THE ERECTION AND MAINTENANCE OF A BOARDING SCHOOL FOR 60 EPILEPTIC CHILDREN.

The rules of the Board of Education for the erection of certified boarding schools for epileptic children state:—

(1) The school must provide for the boarding, lodging, and medical treatment of the children, as well as for their education. (2) The establishment not to consist of more than four houses for 15 children each. (3) The premises must be approved by the Board of Education. It is necessary that the schools should be built in the country or on good pervious soil.

The cost of building four houses now contemplated is estimated at the sum of £14,400, including site.

Built on the bungalow principle, the requirements of a one-storey floor for the afflicted children would be met, whilst rooms



might be provided for the officers in a double-storey centre to each house.

|  |         |
|--|---------|
| Land, 20 acres at £100 per acre.....                                     | £2,000  |
| Buildings, four houses at £2,000 each.....                               | 8,000   |
| Central school building, £1,000; lodge, £800;<br>fences, etc., £200..... | 2,000   |
| Furniture, £1,600; architect's commission,<br>etc., £800 .....           | 2,400   |
| Total .....  | £14,400 |

NOTE.—The price of the land can only be given approximately. If the price exceeded £100 per acre, the extent of the site may be reduced, as probably 20 acres are more than would be absolutely necessary.

The loan could be obtained at  $3\frac{1}{4}$  per cent interest from the Public Works Loan Commissioners, and repaid on the annuity principle. Including the principal and interest, the annual cost for repayment in 30 years would be £736.

MAINTENANCE.—The cost of this is somewhat more difficult to arrive at, but it is believed that the following estimate would cover the annual expenditure:—

|  |       |
|--|-------|
| Annual cost of interest on and repayment of<br>loan in 30 years .....  | £736  |
| Maintenance of 60 children, including board and<br>wages of teachers, servants, etc., other<br>educational charges, clothing, etc..... | 1,800 |

NOTE.—Here the cost of a school for the blind is taken as a guide—*i.e.*, £30 per annum for each inmate.

|  |        |
|--|--------|
| Medical services and other expenses of<br>administration ..... | 329    |
|  | £2,865 |

Less receipts:—

|                                    |      |
|------------------------------------|------|
| Government grants, 60 at £4 5s.... | £255 |
| Parents' contributions .....       | 156  |
| Sale of garden produce.....        | 100  |
|                                    | 511  |

Annual net cost to rates..... £2,354

This gives a net annual cost to the rates of £2,354 per annum for 60 epileptic children, ages 7 to 16, in one institution of four houses, equal to £39 4s. 8d. per child. After the first 30 years the loan repayments would cease, and the annual cost would be reduced to £1,618, equal to £26 19s. 4d. per child.

**Evening Schools.**—Evening schools carried on under the regulations of the Board of Education are included under Higher Education (sec. 22 (1) of Act of 1902), and so become a charge on the funds provided for higher education by Part II. of that Act.

The evening schools are governed by the regulations of the Board of Education, which now take the place of the minute of last year. Practically the schools are conducted on former lines. The following abstract may be of service in understanding the new rules, which are somewhat disconnected in the form in which they have been issued.

#### SYNOPSIS OF THE REGULATIONS FOR EVENING CONTINUATION SCHOOLS, 1902-3.

(The Roman numerals in brackets refer to the regulations, and the other references marked S to the supplementary regulations.)

**MANAGEMENT.**—Evening schools must have managers, and a correspondent. Must not be farmed (VI.). County councils, etc., may be responsible for all evening schools in their respective areas, and local managers must act in unison (VII.). Managers responsible for registration, etc. (XIV.), and meet inspector when required (XVI.).

**LOCAL SUPPORT.**—At least 25 per cent of expenditure must be met by local contributions, such as fees, subscriptions, grants from local authority, or endowments (V.).

**FEES.**—Suitable for locality, and approved by Board of Education. Must, as a rule, charge fees. Remissions allowed (VI.). Teachers, pupil teachers, and scholarship holders may be exempted (VI. Note).

**ACCOUNTS.**—To be forwarded to Board of Education (VI.). Vouchers, etc., may be called for by inspector (XVI.).

**CONDITIONS.**—School must be efficient and necessary, not compete unduly, and be open at all times to inspector (II.).

**PREMISES AND EQUIPMENT.**—Must be satisfactory (VIII.).

**YEAR.**—1st August to 31st July (XI.).

**OPENING.**—Application (on prescribed form) before 1st October, to Board of Education. Short courses in special subjects may be approved later, provided a month's notice is given before the course begins (XI.).

**MEETINGS.**—Not to be before 4 p.m. (Saturdays 1 p.m.), except with special sanction of Board of Education. Each subject must have a course of at least 20 hours. No meeting of less than one hour (XIII.). For length of lessons see Time Table.

**ATTENDANCES.**—See Registers.

**STUDENTS.**—Must be over 12 years of age, and not on register of any day school under Government inspection. Certain exceptions for art students (XV.). For hours that may be counted see Registers.

**SUBJECTS OF INSTRUCTION.**—Should be progressive. Syllabuses are given in regulations. Any other syllabus must be approved by Board of Education (X.). As a rule at least two subjects must be taught (XII.).

**RELIGIOUS INSTRUCTION.**—The rules of public elementary day schools apply (III.).

**LESSONS: LENGTH OF.**—See Time Table.

**TIME TABLE.**—Send in duplicate to inspector at beginning of school year, giving full particulars of subjects and times allotted to each. A week's prior notice to be given of changes, and a fortnight's notice of closing of school. Fine of £1 for neglect of these rules (XII.).

**LENGTH OF LESSONS.**—(1) Literary and commercial subjects, at least half an hour. (2) Art, one hour. (3) Manual instruction, one hour. (4) Mathematics and science theory, 40 minutes. Practical work,  $1\frac{1}{2}$  hours. (5) Home occupations, one hour (XX.).

**TEACHING STAFF.**—Must be sufficient, and, as a rule, paid fixed salaries; possess such qualifications as may be required by the Board of Education (IX.). The supplementary regulations state that the teachers of last year will be approved (S I.).

**INSPECTION.**—The instruction, premises, equipment, staff, etc., will be dealt with at inspections during session (XVI.).

**REGISTERS.**—Admission and attendance registers to be kept in approved form (S V. and VI.). Students must take at least 14 hours' attendance, in any course, to be reckoned for grant. Not more than 160 hours to be counted in the whole for any student during year. Certain attendances and meetings may be carried forward (XV.). Attendances must be registered before lessons begin (S II. 8).

**CLOSING OF SCHOOL.**—See Time Table.

**GRANTS.**—Payable on attendances (XVIII.). May be reduced or withheld (IV.). The rates of grants will be determined by the Board of Education (XIX.).

Amounts i. Literary and commercial (for list see XX.),  
2s. 6d. to 3s. 6d. for each 20 hours, or up  
to 5s. for special instruction.

ii. Art\* (ordinary rates), 2s. 6d. to 3s. 6d. for  
each 20 hours, or up to 15s. for special  
instruction.

iii. Manual instruction, 2s. 6d. to 3s. 6d. for each  
20 hours, or 4s. woodwork, and 5s. metal  
work, where there is adequate equipment.

iv. Mathematics and science\* (ordinary rates)  
2s. 6d. to 3s. 6d. for each 20 hours.

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\* Advanced grants for special instruction in these subjects, but these will, as a rule, be outside the scope of ordinary evening continuation schools.

- v. Home occupations and industries (ordinary rates) 2s. 6d. to 3s. 6d. for each 20 hours, or up to 5s. 6d. for practical work.

Assuming that the full attendances are made, and the maximum grants earned, students may earn such grants as are given in the following list :

## A.

Ordinary. Special.

## Literary and Commercial Subjects :

4 subjects at 20 hours each, or

2 subjects at 40 hours each ..... 14s. or 20s.

## Mathematics and Science :

4 subjects at 20 hours each, or

2 subjects at 40 hours each..... 14s. or 34s.

---

 Total ..... 28s. or 54s.

## B.

## Literary and Commercial :

4 subjects at 20 hours each, or

2 subjects at 40 hours each ..... 14s. or 20s.

## Manual Instruction :

2 subjects at 40 hours each, or

1 subject at 80 hours ..... 14s. or 16s.†

---

 Total ..... 28s. or 36s.

## C.

## Literary and Commercial :

4 subjects at 20 hours each, or

2 subjects at 40 hours each ..... 14s. or 20s.

## Home Occupations :

2 subjects at 40 hours each, or

1 subject at 80 hours ..... 14s. or 22s.

---

 Total ..... 28s. or 42s.

In calculating the practical earning power of the pupils, probably 75 per cent of the possible attendances will be a good average; overtime at warehouses, shops, etc., sadly interferes with the attendances at night schools. Examples A and B apply to night schools attended by both sexes. Example C shows the earning power of a school for girls and women.

Total expenditure per head in evening schools—board, £1 11s. 10d.; voluntary, £2 6s. 2d.

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† 20s. if metal work is taken.

The Board of Education state—

*Number of Schools.*

The evening continuation schools inspected during the year ending 30th April, 1901, numbered 5,244, containing 6,119 separate departments. In the year 1900 there were 5,263 schools, containing 6,154 departments. These figures show a decrease for the year of 19 schools and 35 departments.

There were also inspected during the summer session ended 31st July, 1901, 301 schools, with a total average attendance of 12,812. The total grant paid to these 301 for the summer session was £2,911 7s. 4d., which gave an average per scholar of 4s. 6½d. All these schools were paid under the Code of the Board of Education. But the statistics which follow relate only to the year ending 30th April, 1901.

*Number of Teachers.*

The principal teachers engaged in teaching in these schools numbered 6,054, as compared with 6,106 in the previous year. Of these teachers 4,721 were masters and 1,333 mistresses, and all but 249 masters and 181 mistresses were certificated.

*Number of Scholars.*

The number of scholars on the registers was 546,405, as compared with 509,251, which is an increase of 37,154, or 7·3 per cent. Of these scholars 328,456 were boys and men, and 217,949 girls and women.

The number of scholars in average attendance was 210,242, as compared with 206,335 in 1900, which shows an increase of 3,907, or 1·9 per cent.

*Free Scholars.*

The number of scholars who paid no fees for their instruction was 285,477, or 52·2 per cent of the total number, as compared with 252,701, or 49·6 per cent of the corresponding total in 1900.

*Subjects Taught.*

As in previous years, the principal subjects of instruction in evening schools under the Code were the elementary subjects—reading, writing, and arithmetic: 100,696 scholars qualified for grant in arithmetic, 60,001 in writing and composition, 56,369 in reading and writing combined, and 28,258 in reading and recitation. 78,946 girls and women received instruction in needlework; 56,786 in shorthand; 42,018 in vocal music; 35,494 in commercial arithmetic; 35,226 in book-keeping. Next follow in order, geography, commercial geography, mensuration, and domestic economy; then ambulance work, French history, commercial correspondence, "the science of common things," home nursing, chemistry, algebra, English language, human physiology, "the life and duties of the citizen," hygiene, English literature, elementary physics and chemistry, magnetism and electricity, elementary physiography, agriculture, horticulture, German, Euclid, and mechanics. A small number of scholars took up Welsh, domestic science, sound, light and heat, botany, Latin, or navigation. The number of scholars taking from two to four subjects slightly decreased; and fewer took five subjects, the maximum number recognised for a grant, than in the previous year.

*Grants.*

The total grant paid by the Board of Education to evening continuation schools was £208,470 3s. 2d. in 1901, as compared with £201,323 15s. 7d. in 1900. This is at the rate of 19s. 10d. per scholar



in average attendance, as compared with 19s. 6d. in 1900. In each case the drawing grants, which are charged to the science and art vote, are included in these figures. The following table gives the main figures, which show the growth of the evening continuation school work in England and Wales during the past five years:—

|            | Number of Evening Continuation Schools (separate Departments) inspected. | Number of Scholars. | Annual Grants. |
|------------|--|---------------------|----------------|
| 1897 ..... | 4,980  | 358,628             | £162,158       |
| 1898 ..... | 5,535  | 435,600             | 188,763        |
| 1899 ..... | 5,971  | 474,563             | 183,707        |
| 1900 ..... | 6,154  | 509,251             | 201,324        |
| 1901 ..... | 6,119  | 546,405             | 208,470        |

*Age of Scholars.*

Of the total number of scholars on the registers 160,038, or 29·3 per cent, were under 15 years of age, and 386,367, or 70·7 per cent, over 15. Those over 16 numbered 292,885, or 53·6 per cent; those over 18, 168,820, or 30·9 per cent; and those over 21, 90,516, or 16·6 per cent. In the preceding year the percentage of scholars over 16 was 51·4, and of those over 21, 15·6.

The following tables give further particulars with regard to the ages of the scholars on the registers:—

| Number of Scholars on the Register. |           |                  |                  |                  |                  |                  |                  |                  |                  |              |         |
|-------------------------------------|-----------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------------|---------|
| Year.                               | Under 13. | 13 and under 14. | 14 and under 15. | 15 and under 16. | 16 and under 17. | 17 and under 18. | 18 and under 19. | 19 and under 20. | 20 and under 21. | 21 and over. | Total.  |
| 1900                                | 10,951    | 53,836           | 95,894           | 87,110           | 65,548           | 45,514           | 31,390           | 22,722           | 16,961           | 79,325       | 509,251 |
| 1901                                | 6,595     | 50,026           | 103,417          | 93,482           | 73,709           | 50,356           | 35,666           | 24,077           | 18,561           | 90,516       | 546,405 |

| Percentage of Number of Scholars on the Registers aged— |           |                  |                  |                  |                  |                  |                  |                  |                  |              |  |
|---|-----------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------------|--|
| Year.   | Under 13. | 13 and under 14. | 14 and under 15. | 15 and under 16. | 16 and under 17. | 17 and under 18. | 18 and under 19. | 19 and under 20. | 20 and under 21. | 21 and over. |  |
| 1900  | 2·1       | 10·6             | 18·8             | 17·1             | 12·9             | 8·9              | 6·2              | 4·4              | 3·4              | 15·6         |  |
| 1901  | 1·2       | 9·1              | 19·0             | 17·1             | 13·5             | 9·2              | 6·5              | 4·4              | 3·4              | 16·6         |  |

*Managing Bodies.*

The following table shows how many of the evening continuation departments were in Board Schools, and how many in schools connected with different denominations:—

| Year.                         | Board Schools. | Schools connected with the National Society or with the Church of England. | Wesleyan Schools. | Roman Catholic Schools. | British and other Schools. |
|-------------------------------|----------------|--|-------------------|-------------------------|----------------------------|
| 1900.....                     | 2,705          | 2,283  | 99                | 86                      | 981                        |
| 1901.....                     | 2,683          | 2,263  | 92                | 92                      | 989                        |
| Increase or Decrease in Year. | Decrease of 22 | Decrease of 20   | Decrease of 7     | Increase of 6           | Increase of 8              |

—Report, 1901-2.

**Examinations and Inspections.***Elementary Education.*

Individual examinations of scholars in public elementary schools have now been discontinued by the Board of Education. The following are the revised instructions (1902):—

The inspector no longer (except as provided for in the case of an appeal under Article 86 of the Code)\* holds any examinations of individual scholars except those who require labour certificates. He will judge the success of the instruction by noticing the conduct of the children during their ordinary lessons, whether the attention is keen or languid, whether the children are careful and industrious or idle or slovenly. He may put a few simple questions on the subject of the lesson or on other parts of the school work. The exercise books, the records of previous examinations, and the papers worked by the children and revised by the teacher will afford further material for forming an opinion. In this way the inspector may give valuable help to the teacher; for frequently small errors of various kinds may strike a fresh observer, though they escape the notice of one whose apprehension has been somewhat blunted by familiarity.

*School Must be Efficient.*

\*NOTE.—86. The school or infant class must be efficient. A school or class is regarded as satisfying this article if the inspector does not recommend the withholding of the grant under Article 98 or Article 101 (a). The grant will not be withheld under this article until the following conditions have been fulfilled:—

- (1) The inspector must, in his annual report, report the school or class inefficient and state specifically the grounds of such judgment, and the board must communicate the report to the managers and give formal warning to them that the grant may be withheld under this article, if the inspector again reports the school or class to be inefficient.

- (2) The inspector must, in his next annual report, and after a visit paid with due notice during the last month of the school year, again report the school or class inefficient, and again state specifically the grounds of such judgment.
- (3) If the managers within fourteen days after the receipt of the second adverse report of the inspector appeal against his decision, the school must be visited and such adverse report must be confirmed by a chief inspector.

*Higher Education—Schools Inspected.*

The Board of Education state—

“The first inspections under the Board of Education Act, 1899, took place in the autumn of 1900, and the first report on the subject was made up to the 30th June, 1901, by which date 27 schools had been inspected. Between that date and the 31st December, 1901, the inspection of 24 schools took place. Of these, the following 13 schools were inspected on the application of the county authorities aiding the schools: The Abingdon, Newbury, Wallingford, and Wantage Grammar Schools, in Berkshire; the Ashburton and Crediton Grammar Schools, the Tiverton Middle School for Boys, and the West Buckland County School, in Devonshire; the Bradford-on-Avon, Trowbridge, and Westbury County Secondary Schools, in Wiltshire; and the Middlesbrough High School and the Stokesley Preston Grammar School, in the North Riding of Yorkshire. Except in the case of Berkshire, these schools were only a portion of the number for which inspection had been arranged.

“Two of the schools inspected, the Bournemouth Girls’ High School and the Ramsgate West Cliff School, were proprietary schools; and eight were private schools, namely, the Blundellsands Sandford House School, the Colwyn Bay, Rydal Mount, and Dinglewood Schools, the Crouch End Oakfield School, the Devizes Milford House School, the Hastings Willington College, the Hornsey Cecile House School, and the Tetbury Collegiate School. Four of these ten, those at Blundellsands, Bournemouth, Hastings, and Hornsey, were schools for girls. One school, the Bedford Modern School, was inspected on making application for recognition as a school of science.

*Method of Inspection.*

“In the case of every endowed or proprietary school the inspection included a conference with the governing body or managers, and, where inspection had been applied for by the county authority, conferences with the technical instruction committees of the county councils were also arranged. In most cases special inspectors were employed for ancient languages with English, for modern languages, and for science and mathematics; in some cases for art and for needlework; and in endowed schools, for administration. It has been the practice of the board to

select one or more of the inspectors in each case from ladies and gentlemen not on the permanent staff of the board.

### *Modern Languages.*

"Among those so selected in the year 1901 were: Miss A. J. Cooper, Mrs. Withiel, Mr. H. G. Hart, Mr. J. Headlam, Mr. F. E. Kitchener, Mr. F. Ritchie, Mr. G. W. Rundall, Mr. Arthur Sidgwick, and Professor Withers. The board have directed special attention to the teaching of modern languages, and have been at pains to secure for inspection in this subject persons who have made a special study of the newer methods, of which little as yet appears to be known in English schools. The inspectors for modern languages included Signorina Degani, Mr. W. J. Clark, Mr. F. B. Kirkman, Mr. J. W. Longsdon, and Dr. C. C. Perry. Detailed recommendations were received from these inspectors on the organisation of the modern language work in the schools which they inspected, and it is hoped that their advice may lead to considerable improvement, though the difficulties in this respect are often great, owing, amongst other things, to the want of teachers suitably qualified for supervising the work. The reports show that, while great difficulty is found in teaching two languages effectively in small schools with a comparatively low leaving age, country grammar schools cling to Latin, more, it would seem, for its prestige than from any great belief in its educational value, for the testing of which they seldom allow adequate time. In several cases of this kind the board have advised that Latin should no longer be a compulsory subject throughout the school. It is believed that, in many schools, if Latin were begun later, and then taught as an alternative to other subjects, sufficient attention could be given to French or German in the lower forms to secure an adequate training for every boy in at least one foreign language, and also that the teaching of Latin itself, when confined to boys able to profit by attempting two languages, would be improved.

### *External Examinations.*

"In the small endowed schools, and still more in private schools, the necessity of presenting students for external examinations was found to hinder the introduction of improved methods of teaching. In schools of an established reputation success in examinations is not of vital importance, and, where teaching is of a high standard, the test afforded by external examinations is generally appreciated; but in too many cases such examinations are the excuse both for inferior methods of teaching and for making little attempt to improve them.

"The inspections have also afforded abundant evidence of the difficulty of maintaining small boarding schools, owing to the

increased supply of day schools and the improvement in means of transit. Still more striking and serious is the almost universal inadequacy of the school funds for the attainment of a high state of efficiency. This is manifested especially in the lack of qualifications and experience of the assistant staff, and in the absence of provision for teachers on retirement or superannuation.

*Joint Inspection by the Board and Universities.*

"During the year the Victoria University was recognised by the board, after taking the advice of the Consultative Committee, as an organisation which the board are prepared to employ for inspections under the Act of 1899, and the Universities of Oxford and Cambridge have since been similarly recognised. All these universities, however, concurred in the view that the administrative side of the inspection would best be conducted by officers of the board; so that to this extent, where inspection by a university is applied for under the Act, it will be a joint inspection by the university and the board."—Report, 1901-2, pages 61-63.

**Examining and Inspecting Bodies.**—Principal examining bodies are:—

1. The Board of Education. (2) The City and Guilds of London Institute (for technological subjects). (3) The Society of Arts; and (4) the London Chamber of Commerce, both offering capital examinations in modern languages and commercial subjects, suitable for evening students. (5) The Oxford and Cambridge Schools Examination Board. (6) Oxford Local Examinations. (7) Cambridge Local Examinations. (8) The Union of Lancashire and Cheshire Institutes, a great organisation carrying on examinations for county councils, etc., principally of evening students, in the counties of Lancaster, Chester, and North Derby. A similar union has recently been established for the Midlands, with headquarters at Birmingham. Opportunities should be afforded for the pupils of higher grade and higher elementary schools to be presented at the Oxford and Cambridge Local Examinations; but before this can be done the courses of instruction in these schools will have to be less specialised in the direction of science than at the present time.

The Board of Education state—

"The Consultative Committee of the Board of Education last year had referred to them the question of the recognition as agencies of the board, for the purpose of inspections under the Board of Education Act, 1899, of the Oxford University Local Examinations Delegacy, the Cambridge University Local Exami-



nations and Lectures Syndicate, and the Oxford and Cambridge Universities Joint Schools Examination Board.

"The committee having come to the conclusion that it would be better to recognise the Universities themselves rather than any of their subordinate organisations, the board have accordingly recognised the Universities of Oxford and Cambridge for this purpose, on the same condition as that on which recognition, as stated in our last report, had been given to the Victoria University, viz., that, for the administrative side of the inspection, an inspector of the board shall be associated with those of the university. By this arrangement each university will be directly responsible for any inspections under the Act which it may undertake, but will be at liberty to employ its present inspecting organisations, or to construct some special machinery for the purpose, as it may think fit."—Report, 1901-2, page 9.

**Exhibitions of School Work.**—The Board of Education carried out a series of Education Exhibitions in 1899. These were held in London for England, Cardiff for Wales, Edinburgh for Scotland, and in Ireland. The collections were brought together for the purpose of the Paris Exhibition, to which were subsequently sent a selection of the exhibits. The English Education Exhibition was opened at the Imperial Institute by His Majesty the King, the then Prince of Wales. The exhibition was unique in the history of education in this country. There have doubtless been exhibitions illustrating one or more of the many different sides of education in England before, but for this exhibition it was claimed—and apparently with justice—that from it no phase or aspect of educational work had been omitted. The universities, the great public schools, schools and colleges for women, the school boards, the county councils, denominational education, private and preparatory schools, with many minor off-shoots of education, were all more or less adequately represented. The universities were well represented. There were exhibits from Oxford, Cambridge, Durham, and London, as well as from the younger Victoria University, with its three federated colleges of Owens College, Manchester, the Yorkshire College, Leeds, and the University College, Liverpool. The great majority of the great public schools also sent interesting exhibits, the most notable absentee being Harrow. Eton, Rugby, Charterhouse, Clifton, Cheltenham, Haileybury, St. Paul's, Rossall, Marlborough, and many others furnished exhibits which proved interesting, although in some cases the exhibit consisted almost exclusively of photographs.

The education of women was exceedingly well represented. Among others there were stalls from the Royal Holloway College, the "Maria Grey" Training College, the Cheltenham Ladies'

College, the Bedford College for Women, and from the Girls' Public Day School Company. Various high schools also sent exhibits.

Reference should also be made to the liberal enterprise of the Manchester City Council Technical Instruction Committee in bringing to Manchester the entire exhibit of American education after the close of the Paris Exhibition in 1900.

School exhibitions of work are of the highest value to education. For some years they have been conducted in many of the principal towns in connection with specially favoured day and evening schools. There is no reason why such exhibitions should not be common to all localities, and the concentration of the local control of all forms of education will no doubt happily tend in this direction.

**Extent.**—Sec. 27 (1): This Act shall not extend to Scotland or Ireland or, except as expressly provided, to London.—Act of 1902.

## Eyesight and Hearing of Children.

### EYESIGHT OF SCHOLARS IN SCHOOLS IN LARGE TOWNS.

(Circular to Managers and Teachers of Urban Elementary Schools.)

The Board of Education are anxious to call the attention of the managers and teachers of elementary schools situate in large towns to certain conditions injuriously affecting the eyes and eyesight of the scholars; and they do so in the hope that measures may be generally adopted for arresting the extension of evils prejudicial to the national welfare, in so far as these measures appear to fall within the powers of teachers and managers.

The sight of children is liable to be injuriously affected by two distinct classes of conditions, namely:—

(a) From what are technically called errors of refraction—that is to say, from faulty shape or proportion of the eyeball, producing the several conditions of myopia or short sight, hypermetropia or flat-eye, and astigmatism; all of them liable to occasion much strain and difficulty in using the eyes, and some of them liable to such an extent of aggravation, during and in connection with school life, as seriously to cripple the future usefulness of the individual.

(b) From various forms of disease, such as contagious or non-contagious ophthalmia, eczema affecting the lids, inflammation of the follicles of the eyelashes, pimples or pustules upon the eye surfaces, or inflammation or ulceration of the cornea. Many of these forms of diseases are inconspicuous in their origin, and might easily escape notice unless special attention were paid to the possibility of their occurrence. Some of them are highly contagious, and might become of serious import to the school as a whole, as well as to the original sufferers.

In relation to class (a) it is desirable that every school should be furnished with a set of printed letters, of proper proportions and of graduated sizes, technically known as "test-types," and that by means of these the vision of every child should be tested upon admission, and again at any future time if any suspicion of imperfec-

tion should arise concerning it. For children unable to read, test sheets are provided, exhibiting, as substitutes for letters, figures composed of three sides of a square, the opening being in some above, in others below, in others to the right, in others to the left. The principle of construction is that a natural eye should be able to read a figure of a definite size at a definite distance; and, when this cannot be done, the vision falls below the accepted normal standard. When it can be done, it remains to be seen whether small type can also be read sufficiently far away—i.e., at from twelve to fourteen inches from the eyes. As a rule, distant vision will be defective in either short sight or astigmatism; and small print will be brought unduly near in hypermetropia. Sufficient testing for school purposes may be accomplished by a teacher in five minutes; and, whenever vision falls below the normal standard, or whenever small print is instinctively brought very near the eyes, the parents should be advised to take the child to an ophthalmic hospital or to a surgeon. In the great majority of such cases the use of spectacles will remove all difficulty, and will enable the school work to be performed without risk of injury to the sight.

In relation to class (b), which manifestly includes affections of very different kinds, some of them comparatively rare, others sadly too common, it is difficult to lay down any other general rule than that it should be the duty of teachers to observe any appearance of unnatural redness or soreness of the eyes, or any tendency on the part of a child to be often rubbing them when at work, and to take such precautions as the circumstances of each case may require. Two especially common forms of disease are the contagious ophthalmia, chiefly affecting the insides of the eyelids, and the contagious ophthalmia affecting the lid margins, and tending to destroy the eyelashes at their roots. Both of these are liable to be aggravated by insanitary home conditions, and both are contagious from child to child either directly, by finger contact, or through the medium of slates, towels, sponges, needlework, and so forth. In many cases, treatment, to be effective, must be continued for a long time, and personally undertaken by a trained nurse or a surgeon. The parents often have not time or perseverance to take the suffering child regularly to the local eye hospital; and the records of workhouse infirmaries show that children suffering from either of these forms of disease constantly become "ins and outs," ceasing to attend when the acute symptoms disappear, and returning when the disease is again virulent, having attended school in the interval at great risk of spreading the disease. The effects of both the above-mentioned forms of ophthalmia upon the sight are frequently serious, and, even if the subjects should escape with useful though impaired vision, the appearance given to the face, by the deformity of the eyelids and by the loss of eyelashes, is often such as to relegate him to the lowest kinds of employment. Managers and teachers, especially in poor districts, are therefore recommended to be watchful with regard to this matter, to exclude any child that is affected, and to take care that he shall not be re-admitted without a medical certificate of fitness. The Board of Education have learnt with pleasure that in a few cases special ophthalmic schools have been established in which children can be kept and educated until a cure is effected. The inflammation of the lid margins is usually rendered manifest by the formation of crusts or scabs at the roots of the eyelashes, but the contagious inflammation affecting the lid linings may not only for a long time remain inconspicuous, but is often difficult to distinguish from non-contagious forms affecting the same locality. If any doubt should arise, medical advice should always be sought for its determination.

In attempting to solve the problems presented by the evils above referred to, school authorities are confronted by a two-fold difficulty. In the first place, a large proportion of the cases require special skill for their detection; and hence, unless expert knowledge is brought to bear, it is only too probable that many will be overlooked, to the detriment of children who may be subjected to unjust censure and punishment, as well as to over-taxing and further deterioration of the sight. In the second place, even after the discovery of an abnormality, it is not always easy to bring home to the parent the need for treatment, especially if the latter involve an expenditure of trouble, time, or patience. The Board of Education have learnt with satisfaction that in a few large cities the employment of school visiting nurses is being commenced. They are provided, it is believed, as a rule, by voluntary associations to schools applying for them. The nurse attends during school hours, and sees all children who are referred to her by the teachers, the cases being principally eye or skin diseases, discharging ears, sore and dirty heads, gathered fingers and heels, chilblains, etc. It has been found necessary to give these "school nurses" some special instruction with regard to eye troubles, the detection and treatment of which may require exceptional knowledge and skill. The nurse is able to decide what children require medical advice or treatment, and to lessen the risk of contagion by recognising infectious complaints in an early stage. Managers and teachers, as well as H.M. inspectors, have testified to the value of these nurses in improving the health of the scholars and in increasing the regularity of attendance. Cases must occasionally occur where, through misfortune or otherwise, a parent is unable to take a child to a hospital, or otherwise to seek medical advice. In such cases managers are earnestly advised to co-operate with teachers in devising means by which children incapable of profiting by instruction in school may be enabled to receive appropriate treatment.

The lighting of the schools is a matter of great importance. The aspect should admit sunshine freely. Where possible, windows should extend from the ceilings to a distance of 4 ft. from the floor. In schools with open roofs some of the windows should be extended into the roofs by dormers. Light falling directly upon the eyes should be particularly avoided, as should also light coming from behind, or, in a less degree, light coming from the right hand only, in which cases the scholars can only do their work with strain and discomfort.

The right position and sufficient supply of artificial light are also matters of importance. It is essential in dark weather to supply artificial light of sufficient intensity to replace the daylight, and to have it in such positions as not to dazzle the children. Electric light has the double advantage of consuming no oxygen, and of being movable, and therefore convenient. If gas must be employed, incandescent illumination is preferable to the ordinary fish-tail burner.

The obscure cases of ocular defect offer the greatest trouble to teachers. H.M. inspectors not infrequently find children described as mentally deficient whose deficiency proceeds from partial blindness or deafness rather than from inferior brain power. The teacher should take steps to exclude any possibility of this nature before presenting a child for admission to a defective class. Likewise any child calling forth frequent censure or punishment should be carefully observed for a similar reason.

There are, however, many cases which are less obscure, and which the teacher can help to bring under supervision.

Children of this kind arrange themselves roughly according to the following classification of peculiarities:—



- (a) Bending over reading books, copy books, slates, or needle-work. (Shortsightedness or hypermetropia.)
- (b) The writing tends to become unduly small. (Shortsightedness.)
- (c) The eyelids are closed into a horizontal chink when looking at a somewhat distant object—*e.g.*, blackboard. (Shortsightedness or myopia.)
- (d) Squinting. (Hypermetropia.)
- (e) The appearance of white or milky spots over any part of the centre of the eye.
- (f) Red or watery eyelids, rims of the eyelids red or prominent, with or without discharge.
- (g) Eyelashes matted or partially absent, with or without scabs at their bases.
- (h) Temporary pain, swelling and inflammation of the lid. (Stye.)

In calling attention to these defects the teacher may co-operate efficiently with the school nurse, and may thereby facilitate the labour of the latter to a very great extent. If supplied, as suggested, with a set of test-types and instructions, he will be able to bring to light many cases of visual defect class (a), which might otherwise escape notice until serious and permanent evil consequences had been produced.

The Board are glad of this opportunity of expressing their high appreciation of the devotion shown by managers and teachers in some of our great centres of population in rendering help to their scholars in this and other directions beyond the scope of their ordinary official duties. It is often possible by such help to arrange for a child to be taken, under the guidance of a local manager, pupil teacher, or otherwise, to the out-patient department of a hospital, where expert advice and treatment can be obtained, such as may be of incalculable benefit to the patient if carefully acted upon and pursued.

The Board confidently expect that it will be found possible, as contemplated in the "Code of Regulations for Day Schools, 1901," to organise open-air out-door lessons by frequent visits to museums, parks, and country places. It is hoped that this will prove beneficial, *inter alia*, to the eyesight of the scholars, both indirectly by improving the general health, and directly by providing what is for many town children a rare opportunity of adjusting their sight to objects smaller and more distant than those which they are accustomed to see in the streets in which their home lives are almost entirely spent.—October 1st, 1901.

The defective hearing of children has received considerable attention at the hands of medical officers now appointed by some of the larger school boards.

**Factories and Workshops Acts.**—The Acts are now consolidated by the Act of 1901. So far as the education of children is concerned, the Factory Acts are subordinate to the Education Acts and the local bye-laws for enforcing school attendance.—See Law of School Attendance, page 148.

Under the Elementary Education Act, 1900, the age for full-time exemption under the bye-laws can be extended to 14 years.



Some doubt was felt as to whether, in places where the bye-law age had been raised to 14, children between 13 and 14 were not entitled to exemption on a certificate of previous due attendance. The point is now made clear in a letter, dated the 19th December, 1900, from the Board of Education to Mr. Parker Smith, M.P., in which it is stated that "in places where the bye-law age has been raised to 14, and no mention has been inserted in the bye-laws of the certificate of previous due attendance, children between 13 and 14 are not entitled to exemption on that certificate." The Home Secretary has also issued an Order, making it clear that the bye-laws over-ride the Factory and Workshops Act, and that "in districts where the bye-laws made by the school authority under the Elementary Education Acts apply to children between 13 and 14 years of age, a child must also satisfy the conditions of total exemption prescribed by the bye-laws before he can be legally employed full time in a factory or workshop." So that in places where the bye-law age has been raised to 14 years, and there is no mention in the bye-laws of the certificate of previous due attendance, the only way for a child under 14 to obtain full-time exemption is by passing the full-time standard prescribed in the locality.

We print below the letter from the Board of Education to Mr. Parker Smith, and the Order of the Home Secretary:—

*Letter from the Board of Education to Mr. Parker Smith, M.P.,  
December 19th, 1900.*

1. In places where the bye-law age has been raised to 14, and no mention has been inserted in the bye-laws of the certificate of previous due attendance, children between 13 and 14 are not entitled to exemption on that certificate.

2. Where a special application has been made by the local authority of any school district for approval of a bye-law granting total exemption on a certificate of previous due attendance, the Board of Education will be prepared, after considering the circumstances of the district, to approve such bye-law in the case of children between 13 and 14 years of age for the purposes of employment only.

3. The question whether in districts in which the bye-laws make no provision for half-time exemption such exemption may be claimed under the proviso to Robson's Act is one which the Board of Education have no power to determine, and which can only be settled by a court of law. The practice of the Board of Education is not to insist on the insertion of the half-time clause, but where such a clause is proposed to require that the exemption should be granted on an "attendance" as well as a "standard" qualification.

4. In reply to the question, "Is the exemption under

Robson's Act absolute, or is it conditional on the local authority being satisfied that the child is necessarily and beneficially employed?" a half-time exemption bye-law is never approved except on the condition that it is granted for the purpose of beneficial employment.

5. In reply to the question, "Are the 300 attendances mentioned in Robson's Act to be reckoned after reaching 3 or 5 years?" the certificates authorised by the Board of Education recognise attendances made after 5 years of age only.

The following is the Order of the Home Secretary above referred to:—

The Home Secretary, with the consent of the Board of Education, prescribes in the *London Gazette* new standards of proficiency and of previous due attendance under the Factory and Workshops Act, 1878, so far as they relate to England and Wales. The Order of August 7, 1893, is revoked as from the 1st July next, and the following provisions will then take effect:—

(a) The standard of proficiency for the purpose of a certificate of proficiency to be given to any child shall be the fifth standard of reading, writing, and arithmetic, as fixed by the Code in force for the time being, or any higher standard which may be attained by the child. Certificates of proficiency may be granted in the manner prescribed by sections 4 to 8 of the Regulations of the Board of Education dated 21st March, 1901. (See page 510.)

(b) The standard of previous due attendance at a certified efficient school for the purpose of a certificate of previous due attendance shall, in the case of any child, be 350 attendances after such child has attained 5 years of age, in not more than two schools during each year for five years, whether consecutive or not. Certificates of previous due attendance at school may be granted in the manner prescribed by sections 9 to 11 of the Regulations of the Board of Education dated 23rd April, 1900.

NOTE.—In districts where the bye-laws made by the school authority under the Elementary Education Acts apply to children between 13 and 14 years of age, a child must also satisfy the conditions of total exemption prescribed by the bye-laws before he can be legally employed full time in a factory or workshop.

The Order of August, 1893, which is now revoked, prescribed the fifth standard as fixed by the Code of 1893, and the number of attendances required 250 a year in place of 350, which the present Order demands.

**Fee Grant.****REGULATIONS AS TO THE TIME AND MANNER OF  
PAYMENT OF FEE GRANTS.***Appendix A, Day School Code.*

(Elementary Education Act, 1891, sec. 1 (1).)

*At the Council Chamber, Whitehall, the 25th day of August, 1891.***BY THE LORDS OF THE COMMITTEE OF HIS MAJESTY'S MOST  
HONOURABLE PRIVY COUNCIL ON EDUCATION.**

The Lords of the Committee of Privy Council on Education, by virtue and in pursuance of the powers vested in them under the Elementary Education Act, 1891, and of every other power enabling them in this behalf, do order, and it is hereby ordered, that the following regulations be observed:—

(1) Fee grants in aid of public elementary schools in England and Wales shall be calculated at one-twelfth of the rate prescribed by section 1, sub-section (1), of the Act for each month which shall have elapsed since the date, not being earlier than the 1st September, 1891, at which the school began to satisfy the conditions of the Act.

(2) Fee grants shall be paid by—

(a) Quarterly instalments for each three months completed during the school year for which the grant is payable;

(b) A final payment with the annual grant payable to the school.

(3) An instalment of fee grant shall not exceed three-twelfths of the rate prescribed by section 1, sub-section (1), of the Act multiplied by the number of children over three and under fifteen years of age in average attendance, as defined by section 10 of the Act, during the last preceding school year.

Exceptions—

(a) Until the first final payment of fee grant has been made, the instalments of fee grant shall be calculated upon the total average attendance during the last preceding school year.

(b) If no school year has been completed before the 1st September, 1891, the instalments of fee grant, previous to the first final payment, shall be calculated upon the average attendance for such period as the Education Department may determine in each case.

(4) A final payment of fee grant shall be the difference between the total fee grant payable for the year [section 1, sub-sections (1) and (2), and section 4, sub-section (3)] and the total of the instalments (if any) previously paid for that year.

(5) Instalments of fee grants shall be paid—

(a) In the case of schools not provided by a School Board, to the correspondent;

(b) In the case of schools provided by a School Board, to the treasurer.

(6) In the case of a school which does not satisfy the conditions of the Act from the 1st September, 1891, but which at any subsequent date satisfies such conditions, the instalments of fee grant shall be payable from such last-mentioned date, if the first day of any month, and if not the first day of any month, then from the first day of the month next succeeding that date.

## **Fees, and the Apportionment of School Fees.**

SEC. 14. Where before the passing of this Act fees have been charged in any public elementary school not provided by the local education authority, that authority shall, while they continue to allow fees to be charged in respect of that school, pay such proportion of those fees as may be agreed upon, or, in default of agreement, determined by the Board of Education, to the managers.—(Act of 1902.)

When board schools were first established school fees were compulsory, and were prescribed by the school board: the amount, not exceeding an ordinary payment of 9d. a week, had to be approved by the Education Department, but the school board could remit on account of poverty of parents. (Sec. 17, Act of 1870.)

The Act of 1891, making provision for assisting education in public elementary schools in England and Wales, gave a fee grant of 10s. a year for each child (over 3 and under 15 years of age) in average attendance, to managers of public elementary schools willing to receive the grant. Section 1 of the Act of 1891 states the conditions, section 2 limits the fees to be charged (if any) to the difference between the then existing fee and the 10s. a year fee grant. Hence it came about that a number of school boards entirely freed their schools from fees, whilst others continued to charge the difference between the amount hitherto imposed and the amount of the fee grant. Where the latter course was adopted, schools with an average fee of 3d. per week became free, schools charging 4d. per week reduced the fee to 1d., and so on. Section 3, Act of 1891, prohibited the charging for books, etc., in certain schools, and section 4 authorised the Board of Education to modify the limit of fees in certain cases. Section 5 makes it the duty of the Board of Education to enforce the provision, in each district, of a sufficient supply of free education, which the parents have a right to demand unconditionally.—(Memorandum of Education Department, May, 1893.)

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Where before the passing of the Act of 1902 fees have been still charged in any voluntary school, section 14 applies, having the effect that where the charging of such fees is still allowed by the local authority, a portion of the income derived therefrom shall be paid to the managers, and may be used by them for such purposes as are described in the following extract from the proceedings in the House of Commons, having reference to this provision.

Sir W. Anson, when introducing this section, said the managers “were bound to provide the fabric, and to make it fit for the use of the local education authority. They were, further, bound to give up the use of the building for three nights a week, which was not a part of the original proposal. They were also bound to submit to the financial control of the local education authority.

and to the complete control of secular instruction. On the other side, the local education authority provided the salaries of the teachers, school books, furniture, and so forth. That being so, it seemed reasonable, and was no departure from the original scheme of the Bill, if income which came to the school, as a school, were to some extent shared between the local authority and the managers. Lastly, the managers had been accustomed in many parts of the country to make something towards the upkeep of the school by letting the building for various remunerative purposes. For those and other reasons he believed it would be good policy on the part of the local education authority to continue to allow the managers to charge fees and to share those fees, as the clause provided."

Section 23 (10) will allow public inquiries to be held by the Board of Education in cases of dispute under this section.

*Schools Charging Fees.*—Sir William Anson, in the House of Commons on the 17th November, gave the latest returns of the number of schools charging fees, as follows :

| Denomination.           | No. of Schools. | Amounts received. |
|-------------------------|-----------------|-------------------|
|                         |                 | £                 |
| Church of England ..... | 1,756           | 121,815           |
| Wesleyan .....          | 307             | 29,981            |
| Roman Catholic.....     | 113             | 7,163             |
| British, &c.....        | 330             | 31,161            |
| Board .....             | 153             | 41,161            |
| Totals .....            | 2,659           | 231,281           |

NOTE.—A reference to the statistics of the Board of Education, 1901-2, Table 25, pages 70-72, shows that these figures cover school fees and sales of books; consequently the amount received for fees will be somewhat smaller than the amounts given by Sir W. Anson. Further, provided schools—*i.e.*, the Board Schools—are not affected by Section 14, so that the total income affected would be the total of the return, namely, £231,281 less £41,161 = £190,120, to be further reduced by whatever may have been the product of the sale of books, etc.

#### The Board of Education state—

"Of the public elementary day schools, only 91 in England and Wales (the same number as last year) continue to refuse the fee-grant. The number of schools which, while receiving the fee-grant, continue to charge such fees as the Act of 1891 allows, has fallen from 2,660 to 2,568; and the number of fee-paying scholars in all classes of public elementary day schools, from 649,321 in 1900 to 644,275 in



1901. The figures for the last five years are shown in the following table in a summary form:—

|      | Fee-paying Scholars. | Free Scholars. | Free Schools. |
|------|----------------------|----------------|---------------|
| 1897 | 735,142              | 4,771,897      | 16,912        |
| 1898 | 706,251              | 4,870,615      | 17,008        |
| 1899 | 670,282              | 4,983,810      | 17,248        |
| 1900 | 649,321              | 5,036,793      | 17,349        |
| 1901 | 644,275              | 5,116,384      | 17,457        |

—Report, 1901-2, page 17.

**Finance.**—Expenditure on education during financial year, 1901-2.

|  |           |             |
|--|-----------|-------------|
| <i>Administration—</i>   |           | £           |
| Cost of the Central Offices (including organisation of Districts) .....  | ...       | 141,616     |
| <i>Inspection and Examination —</i>  |           | £           |
| Cost of Inspection of Schools : Elementary .....   | 209,597   |             |
| Non-Elementary .....   | 39,488    |             |
|  |           | 249,085     |
| <i>Elementary Schools</i>  |           |             |
| Annual Grants to Day Schools .....   | 5,143,741 |             |
| Fee Grants to Day Schools .....  | 2,415,801 |             |
| Annual Grants to Evening Schools (including Drawing Grants) .....  | 211,523   |             |
| Annual Grants to Schools for Blind, Deaf, Defective, and Epileptic Children .....  | 30,444    |             |
| Grants to School Boards under Section 97, Elementary Education Act, 1870, as amended by Elementary Education Act, 1897 ..... | 213,750   |             |
| Aid Grants to Voluntary Elementary Schools .....   | 618,233   |             |
| Pensions to Teachers.....  | 55,493    |             |
|  |           | 8,688,985   |
| <i>Training Colleges—</i>  |           |             |
| Annual Grants to Training Colleges .....   | ...       | 223,554     |
| <i>Schools of Science and Art</i>  |           |             |
| Annual Grants to Science and Art Schools and Classes.....  | ...       | 307,975     |
| Royal College of Science .....   | ...       | 21,507      |
| Royal School of Art .....  | ...       | 11,367      |
| Other expenses, Museums, &c.....   | ...       | 109,018     |
| Total .....  |           | 9,753,107   |
| Total amount of School Board Rates, 1901 .....   |           | 6,335,828   |
|  |           | £16,088,935 |

It is not possible to give a general average amount per head of the money to be derived from the new aid grant. Each authority can make its own calculation by applying the terms of section 10 in the light of local conditions as to average attendance and product of a penny rate. (See page 25.)

The foregoing figures give an annual expenditure on public education in England and Wales defrayed from the taxes and rates, amounting to £16,088,935.

In a debate in the House of Commons on the Education Bill, 1902, it was estimated by Mr. Lowther that the total annual expenditure will in future reach £20,000,000 per annum.

The following particulars, showing the amounts per head of various items of school income and expenditure, are taken from official returns, 1901 (England and Wales):

INCOME AND EXPENDITURE PER HEAD—VARIOUS KINDS OF EDUCATION.

|                                   | Amount per Head.  |          |          |                       |          |           | Remarks.                           |
|-----------------------------------|-------------------|----------|----------|-----------------------|----------|-----------|------------------------------------|
|                                   | Board<br>Schools. |          |          | Voluntary<br>Schools. |          |           |                                    |
|                                   | £                 | s.       | d.       | £                     | s.       | d.        |                                    |
| <i>Income :—</i>                  |                   |          |          |                       |          |           |                                    |
| Rates.....                        | 1                 | 8        | 2        | ...                   |          |           |                                    |
| Subscriptions .....               |                   |          |          | 0                     | 6        | 8         |                                    |
| Fees paid by Children.....        | 0                 | 0        | 4½       | 0                     | 1        | 6½        |                                    |
| Ordinary Grant, Day School Code.. | 1                 | 1        | 1¾       | 1                     | 0        | 7         |                                    |
| Fee Grant.....                    | 0                 | 9        | 10¾      | 0                     | 9        | 9¾        |                                    |
| Aid Grant.....                    |                   |          |          | 0                     | 5        | 0½        |                                    |
| Other sources .....               | 0                 | 0        | 7        | 0                     | 1        | 8         |                                    |
| <b>Total .....</b>                | <b>3</b>          | <b>0</b> | <b>2</b> | <b>2</b>              | <b>5</b> | <b>3½</b> |                                    |
| <i>Expenditure :—</i>             |                   |          |          |                       |          |           |                                    |
| Day Schools—                      |                   |          |          |                       |          |           |                                    |
| Teachers' Salaries .....          | 2                 | 12       | 2        | 1                     | 15       | 4         |                                    |
| Higher Elementary Schools—        |                   |          |          |                       |          |           |                                    |
| Total Expenditure .....           | 7                 | 3        | 6        | ...                   |          |           |                                    |
| Evening Schools—                  |                   |          |          |                       |          |           |                                    |
| Total Expenditure .....           | 1                 | 11       | 10       | 2                     | 6        | 2         |                                    |
| <i>Cost of Maintenance :—</i>     |                   |          |          |                       |          |           |                                    |
| Defective Children—               |                   |          |          |                       |          |           |                                    |
| In Day Classes.....               |                   |          |          | 8                     | 15       | 4         |                                    |
| In Boarding Schools .....         |                   |          |          | .....                 |          |           | Estimated £30 to<br>£35 per annum. |
| Blind Children—*                  |                   |          |          |                       |          |           |                                    |
| In Day Classes.....               |                   |          |          | 6                     | 12       | 4         |                                    |
| In Boarding Schools .....         |                   |          |          | .....                 |          |           | Estimated £20 to<br>£30 per annum. |
| Deaf Children—                    |                   |          |          |                       |          |           |                                    |
| In Day Classes.....               |                   |          |          | 12                    | 8        | 0         |                                    |
| In Boarding Schools .....         |                   |          |          | .....                 |          |           | Estimated £20 to<br>£30 per annum. |

\* Note next page.

\* **NOTE.**—*Blind, Deaf, and Defective Children*: The following figures showing average cost per head, are taken from a memorial of the London School Board forwarded to the Government in 1899 in support of an application for additional Government grants to meet the cost of special instruction:—London, £10 7s. 6d.; Bradford, £16 5s. 9d. for deaf children, and £16 13s. 10d. for blind children; Birmingham, £12 15s. 11d. for deaf children; Cardiff, £12 8s. 7d. for blind children; and Manchester for deaf and blind children alike, £20. When such children are educated in institutions (without board and lodging) carried on by the School Boards the Government may find £5 5s., leaving about £7 per annum to be provided by the local rates. The cost of such instruction, of course, varies, owing to the fact that some boards (as at Manchester) send all their cases to residential institutions, where the cost of board and instruction has to be met, whilst others give facilities, for instruction only, for a number of these cases in day classes. In the former, the cost to the School Board is higher than the average quoted. Another cause of additional expenditure arises when School Boards take up the instruction of feeble-minded children. The average cost may reach £9 per head (day instruction), as it does in London, compared with £4, the cost of instruction in the case of ordinary children, whilst the grant for the feeble-minded children allowed by the Education Department is £4 10s. per head. In residential schools the net cost may reach £30 per annum per child.

**Fire Insurance** rates of tariff offices: Buildings 1s. 6d., and contents 2s. per cent.

**Forgery and False Statements.**—Forgery or fraudulent use of certificates, under Act of 1873 or Act of 1876, is made punishable by imprisonment. The same also applies to the obtaining of payment or remission of fees by fraud under latter Act.—See sec. 25 of Act of 1873 and sec. 37 of Act of 1876.

**Forms.**—Specimens of the following forms are given in Part IV., page 547:—

- I. Duplicate Register.
- II. Officers' Report—Defaulters under Bye-laws.
- III. Absentee Note—With Warning Notice.
- IV. Monthly Report of School Attendance of District.
- V. Monthly Returns of Attendance for Managers and Teachers.
- VI. Requisition for Books and Stationery.

**Defective and Epileptic Children.**—For forms see Minute, Feb. 26th, 1900. See page 520.

**Labour Certificate and Birth Certificate, etc., Forms.** See Regulations, March 21st, 1901. (See page 510.)

**Form IX.**—The name usually applied to the general return forwarded annually by the managers to the Board of Education for each school on the Annual Grant List. The form requires accurate compilation, as omissions or errors lead to its return for correction, and consequent delay in the receipt of the annual grant. Copies of the form should be filed for office reference.

and the financial return of income and expenditure is best kept separate in a book of school balance sheets. The items comprising this financial return are taken from the totals of income and expenditure shown for each school in the abstract book.

### **Free Education.—**

Third Schedule (5).

The following provision shall have effect in lieu of section 5 of the Elementary Education Act, 1891:—

“The duty of a local education authority under the Education Acts, 1870 to 1902, to provide a sufficient amount of public school accommodation shall include the duty to provide a sufficient amount of public school accommodation without payment of fees in every part of their area.”—(Education Act, 1902.)

The duty of the school boards under the Act of 1901 to provide an efficient supply of free places in public elementary schools is now the obligation of the local education authority.

The new provision is, if anything, more direct and explicit than the one it replaces.

**Fuel and Light.**—Coal and gas form a serious item in school expenditure. The caretakers must exercise a proper control. The consumption of gas and water should be recorded each week, and the gas might be turned off at the meter when the school is not being used.

Contracts for coal are made with advantage during the summer months, say in the month of August, when tenders for the annual supply for all schools in the district (where it is sufficiently compact) should be invited. The prices to include delivery at all of the schools controlled by the authority. The price of coke varies so much that it is a general rule for tenders to be for the price at the gas works, plus cost of carting.

In Manchester the schools are supplied with firewood from the stores department. Old “sleepers” are bought from the railway companies, and these are sawn into convenient lengths for splitting up by the caretakers.

The cost of fuel and light will vary with the locality, owing to differences in the price. In Manchester it is 1s. 9½d. per head, where open fire places, rather than pipes, are in general use for warming the schools. London (including water) 2s. 6d. per head.

On the discussion of Clause 7 (1) (*d*), and an amendment designed to require managers to make “structural” repairs to requirements of local authority,

Sir William Anson said the managers would have to arrange for the apparatus for warming and lighting, but the local authority would have to provide the fuel and lighting.—(Commons, 29th October, 1902.)

**Furniture: School.**—The general adoption of dual desks has increased the cost of school furniture. Formerly, with long desks, each child's place would cost from 5s. to 6s.; now the seats, etc., cost 8s. or 9s. each. Dual desks are, however, so much better for the children that this increased cost is fully justified.

I estimate the complete furnishing of a school for a thousand children at £700, or 14s. per head. For material there is nothing better than pitch pine, carefully dried and selected. The Clerk of the Works should have access to the contractor's workshop when the furniture is in process of manufacture. The price given includes scholars' desks, teachers' desks, and tables, cupboards, platforms for each central hall, chairs, clocks, and a piano for each department. Sufficient attention is not generally paid in England to patterns of desks. The best form of desk, in all its relationships to the health and comfort of the scholars, should be selected, and then the authority should see that all these conditions are fulfilled, both as regards the metal standards and the woodwork of the desks. The clocks and pianos cannot be included in the loan. For some inscrutable reason the Local Government Board (who control the loan expenditure) will allow the inclusion of bentwood chairs, but draw the line at pianos and clocks. These must consequently be bought out of current account.

Great care ought to be exercised in the purchase of the pianos. They should be of reliable English make, and obtained from a responsible contractor: good instruments can be obtained at £23 each.

When a new school comes to be furnished, the question of cupboards is frequently a difficulty, owing to their awkward projection, particularly in class-rooms. In the later schools in Manchester we have recessed the cupboards with great advantage, but this means their provision in the builder's contract, and careful arrangement as to situation, etc., when the plans of the building are made.

For defective children's centres it is well to have desks with adjustable seats and fronts. I have seen nothing yet to equal the furniture of this kind of American manufacture.

*Use of Furniture in Non-provided Schools.*—Local authority may use furniture provided by managers or trustees before appointed day. (Second Schedule (14), Act of 1902.)

**Gardens: School.**—Classes limited to 14 scholars. (See Grants, page 111.)

#### OBJECT LESSONS IN GARDENING.

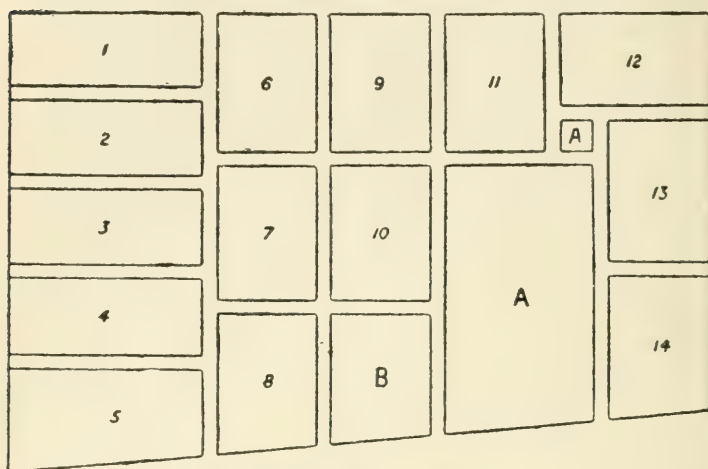
##### *In Actual Operation in Elementary Schools.*

“*Scheme A.*—The following is the plan of the garden, and scheme of instruction, at a village school with average attendance of 118, and with a staff consisting of head certificated teacher,



two female assistants (Article 50), and one assistant under Article 68 :

GENERAL PLAN OF GARDEN.



1-5 Garden Plots, 33 ft. by 14 ft.

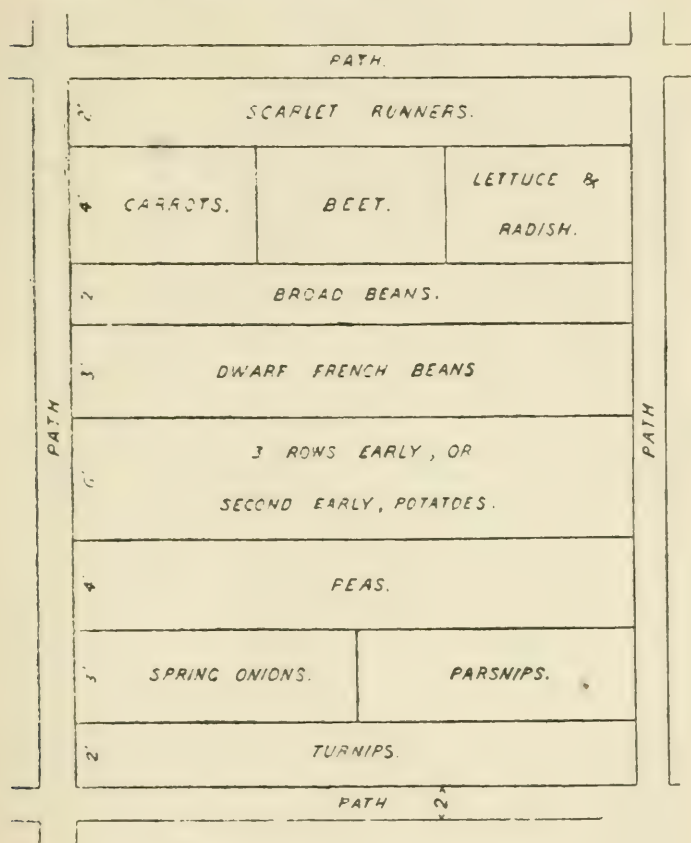
6-14 „ „ 26 ft. by 16 ft.

A A. Fruit Plots.

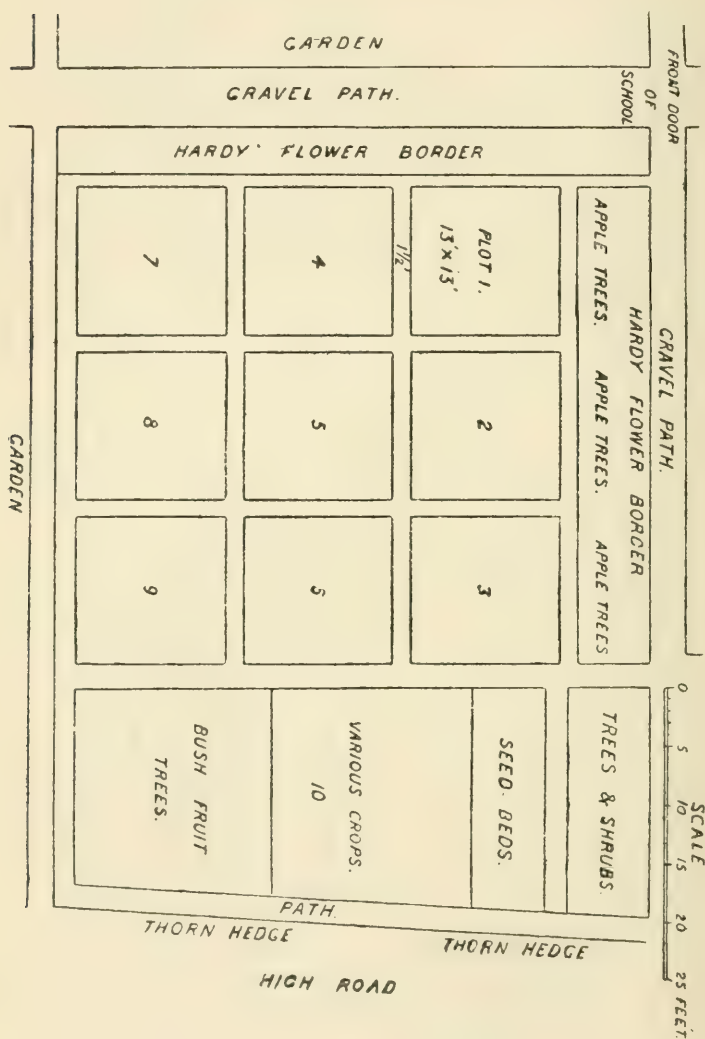
B. Nursery Plot.

Operations were begun with 7 forks, 7 spades, 7 draw hoes, 2 Dutch hoes, 6 rakes, and 2 garden lines; the cost of these was £3 9s. 6d. The stock of tools has since been augmented by the purchase of more forks, etc., a wheelbarrow, water pot, boat baskets, and garden trowels. All seeds, with the exception of potato seed, are found by the managers, and cost about 15s. each year. Manures (farmyard and chemical) cost 15s. annually, and the rent of the ground is £1. These expenses are met by the Government grant of £2 16s., and an aid grant of £2. On the fruit plots the following trees are grown: Two pear trees, two apple trees, two plum trees, and one cherry tree. Some bush fruits are also grown. The boys are taught pruning, grafting, and budding, in addition to general fruit culture. The instruction is given once a week, from 2-35 to 4-10 p.m. The boys stand round one of the plots, while the teacher demonstrates how each operation is to be carried out. Afterwards they disperse to their own plots, and each does the necessary work to the best of his ability. On wet afternoons the boys have talks about and write compositions upon the work which has been done or is to be done in the gardens. The instruction is continued throughout the year.

Each plot is cropped as follows:—



" *Scheme B.*—The following is the plan of a garden attached to a rural school with an average attendance of 100 under a head mistress, who takes the gardening class herself:—









"Each plot measures 13 ft. by 13 ft. Plot No. 10 is used as a seed bed and for bush fruit trees and various crops, such as scarlet runners, tomatoes, etc., for which there is no room on the other plots. Upon the other plots are vegetables grown in the following order: Potatoes, early and main crop (one row each); carrots (two rows, one for exhibition and one for ordinary use); onions (two rows), beetroot (one row), turnips (one row), parsnips (one row), peas or French beans (one row). Lettuce is planted out and parsley sown as a border to the paths. Carrots and parsnips for exhibition are sown in holes made by a crowbar or long dibber, 1 ft. apart; the holes are then filled with finely-sifted soil, in which about three seeds are sown. The crops are reversed from one end of the plots to the other in alternate years, running from east to west. As a further means of changing the rotation they will be grown from north to south this year. After the summer crops have been lifted the refuse is burnt on each plot. All spare ground is then manured, dug, or trenched for the winter. The instruction is given for two hours each week, and rather more in the busy season. Lessons on plant and animal life in the lower standards, as in Scheme X. of the Specimen Courses of Object Lessons already issued by the Board of Education. Visits to good gardens are found to be a great help. A record of the work done is kept by each boy, with notes on the soil, digging, pruning, manures, etc. The boys have additional practical instruction in root pruning, pruning, and in growing strawberries and asparagus in the teacher's own garden. In winter and wet weather conversational lessons are given, illustrated by diagrams, pictures, magazines, etc."—("Rural Specimen Courses," Board of Education.)

**Grants to Schools: Government.**—The annual Parliamentary grants under the following heads are summarised in the foregoing table:—

#### ELEMENTARY EDUCATION.

- I. Public Elementary Day Schools.
- II. Higher Elementary Schools.
- III. Special Schools for—
  - (a) Defective or Epileptic Children.
  - (b) Blind or Deaf Children.

#### HIGHER EDUCATION—TRAINING COLLEGES.

- I. Secondary Schools and Classes (Day and Evening).
- II. Secondary Evening Schools (formerly Evening Continuation Schools).
- III. Training Colleges.

**Grants to Local Authority.**—Apart from the grants paid on account of the schools, the grants from the Treasury payable to the local authority are—

- (1) The aid grant (sec. 10 of the Act of 1902) for elementary education.
- (2) The residue (sec. 1 of Local Taxation (Customs and Excise) Act, 1890) for higher education.

## **Grouping of Schools.**

### **GROUPING OF SCHOOLS UNDER ONE MANAGEMENT.**

SEC. 12.—(1) The local education authority may group under one body of managers any public elementary schools provided by them, and may also, with the consent of the managers of the schools, group under one body of managers any such schools not so provided.

(2) The body of managers of grouped schools shall consist of such number and be appointed in such manner and proportion as, in the case of schools provided by the local education authority, may be determined by that authority, and in the case of schools not so provided may be agreed upon between the bodies of managers of the schools concerned and the local education authority, or in default of agreement may be determined by the Board of Education.

(3) Where the local education authority are the council of a county, they shall make provision for the due representation of minor local authorities on the bodies of managers of schools grouped under their direction.

(4) Any arrangement for grouping schools not provided by the local education authority shall, unless previously determined by consent of the parties concerned, remain in force for a period of three years.—(Act of 1902.)

This provision should very considerably assist the local authorities in making arrangements for management, but it must be borne in mind that in the case of non-provided schools it can only be carried out with the consent of the managers concerned.

Federation of managers of the schools, arranged according to denomination, will possess so many advantages, both for the authorities and for the denomination, that it will be most desirable if practical schemes for such federation can be entered into by the religious bodies so largely interested in the non-provided schools. Although the local conditions of the schools will necessitate probably separate bodies of managers, there seems to be no reason why federation, governing general courses of procedure, and even going further in the direction of husbanding and ensuring the economical expenditure of the funds the managers may have at their disposal for repairs of buildings, etc., should not be a plan of administration generally adopted.

The latter portion, sec. (12), of the second schedule of the Act of 1902, in reference to payment of balances of Parliamentary

grants, would appear to contemplate such an arrangement, as it enables such managers to apply the money so received by them for the benefit of any general fund applicable for those purposes, and the same alternative would appear to be implied in the latter part of the same section with reference to the payment of the balance of the old aid grant.

**Half-Timers.**—The Day School Code, 1902, defines the meaning of the term “half-time scholar.”

11. The term “half-time scholar” means a scholar certified by the local authority to be employed in conformity with the bye-laws, or, if not subject to the bye-laws, in conformity with the Elementary Education Act, 1876, or any other Act regulating the education of children employed in labour, and in either case recognised by the Board as a half-time scholar.

The Elementary Education School Attendance Act of 1899 raised the age of half-timers to twelve years.

Half-timers are rapidly diminishing in number. This is strikingly illustrated by the following figures giving the number of half-timers on four dates within the last quarter of a century :

|            |         |
|------------|---------|
| 1876 ..... | 201,184 |
| 1890 ..... | 170,437 |
| 1897 ..... | 110,654 |
| 1901 ..... | 74,468  |

**NOTE.**—More than half of them (44,045, or 59·1 per cent) are employed in Lancashire factories and workshops, 25·1 per cent are in Yorkshire, and 6·2 per cent in Cheshire. The total number of half-timers in London is 771, and in the whole of Wales there are only 17.

The decrease is attributed to the raising of the minimum age at which children may be employed, and to the abolition in certain districts of the half-time clause in the bye-laws.

As stated by Mr. Graham Balfour in his admirable book on “The Education Systems of Great Britain and Ireland,” “it must be remembered that this legislation (factory and workshops) applies only to children employed in factories of a certain class, and that a more real evil is the amount of work that children of poor parents have to do every day in addition to the school work, which is supposed to demand their full energies.”

See *Employment of Children*. Page 80.

## Heating and Ventilation.

### WARMING AND VENTILATION.

(a) *Methods of Warming.*—Various methods are adopted for warming schoolrooms. Open fireplaces, stoves, hot-water pipes at high and low pressure, radiation, and hot air. Even if supplemented by pipes, the open fireplace has many advantages.

It is a great aid to the ventilation; indeed, it is contended by many authorities that perfect ventilation cannot be obtained without it. An efficient and economical form is obtained by Leamington bars fixed with fire-brick backs and glazed sides to fireplace, which should project from an angle of the class-room, the position in which it is least in the way, and also the one from which it can be best seen by the children. The fireplace may project about 2 ft. 6 in. from the corner of the room, the length across the front being 4 ft. 3 in., the chimney-piece being of brick or stonework. The inside width of the chimney should be 14 in. by 9 in. All internal brickwork to be flush-pointed and rubbed.

(b) *Fire-guards*.—Each fireplace must have its guard securely hooked at top into stanchions let into sides of the wall. These fire-guards are generally made of wrought iron, and are of a simple ornamental design, three feet high, with a projection from fireplace of about 1 ft. 6 in. The cost of well-made wrought-iron fire-guards is about £1 15s. each where a quantity is supplied.

When the heating is by means of hot water the low-pressure system is recommended, the pipes being placed round the various rooms just above the floor level. With well-constructed fireplaces, however, a warmth of 60 degrees may be continuously maintained in a class-room. All class-rooms should be supplied with a thermometer hung near the door. Stoves, except in temporary iron buildings, and heating by steam, are not desirable means of warming schoolrooms.

*Ventilation*.—In connection with this much-discussed subject it is hardly possible to do justice to all the various methods in vogue. The object of all ventilation is to secure a healthy internal atmosphere both in summer and winter. The wholesome character of the outside air of a building depends upon the situation of the site, the openness of its character, its freedom from noxious fumes and gases arising from manufacturing processes or polluted water which may be carried to the vicinity of the premises by prevailing winds. Buildings facing east and west in damp localities have the advantage of their walls and playgrounds being most exposed to the sun. There are, however, other reasons in the case of schools which make a southern frontage desirable. Windows which will open and a fireplace in each class-room will do much to provide sweetness and freshness for the premises. The general adoption in all the best schools of the central hall system of planning is a great aid to ventilation, the halls forming vast reservoirs of fresh air, which constantly supply the class-rooms. The windows and fire-places must, of course, be supplemented by fresh-air flues and extractors. In halls, particularly, the most should be made of roof ventilation—those on the upper floor are easier to ventilate than those on the ground floor level; here there must be 9 in. by 9 in. flues



let into chimney-stacks when possible, or connected with roof ventilation by means of tubes. In the partitions between the class-rooms and hall, and in the corridors, there should be hinged faulights near ceiling, and these faulights should be made to open by means of cords.

Generally it may be stated that upon the constant flow of fresh air into the various rooms, and the speedy escape of foul air, will depend the healthy character of the school. About 3,000 ft. of fresh air is required each hour by an adult, and it is calculated that children need two-thirds the amount of fresh air required by a fully-grown person. In an hour one foot of burning gas vitiates 1,800 ft. of fresh air, and 3 ft. of gas nearly equals the needs of two men. A good standard for the purity of outside air is 20·96 per cent of oxygen, and not over ·04 per cent of carbonic acid, or  $\text{CO}_2$ . The nearer the air of the schoolroom approximates to this standard, the closer it will approach to a healthy condition for the children and teachers. The state of the air in schools should be periodically tested by simple scientific means.

**VENTILATION OF SCHOOLS.**—The accompanying circular on the subject of the ventilation of schools, which has been drawn up by Mr. J. Howson Ray, F.R.C.S., Medical Officer to the Salford School Board, has been issued by the Board to all its head teachers. The subject is of such great importance, and the suggestions contained in Mr. Ray's paper are so valuable, that I feel sure my readers will be glad to have the benefit of the advice given:

#### VENTILATION OF SCHOOLS.

"The health of our teachers and pupils is largely influenced by the state of ventilation of the schools, and the medical officer to the board wishes to bring this question prominently before all head teachers, and to ask for their hearty and constant co-operation in using all the means already provided for the ventilation of their respective schools.

It may be stated that impure, close, stuffy air, such as is found in an overcrowded or poorly-ventilated room, is a cause predisposing to disease, and especially to diseases of the blood, lungs, and nervous system.

The prolonged breathing of vitiated air may lead to forms of anæmia, colds, headache, sickness, sore throat, lassitude, and general debility: indirectly it predisposes to diseases of the lungs, such as catarrh, bronchitis, and consumption.

It may also produce some forms of deafness, and it makes the stamping out of infectious disease a more difficult matter than it should be.

The mind becomes dulled and non-receptive, the child ceases to be bright, and becomes less capable of instruction: the teacher is more liable to nervous exhaustion. These effects are more



noticeable after the scholars have been in the class-room for the greater part of the morning or afternoon.

The deficient ventilation begins also to tell upon the voice of the teacher, and makes the latter conscious of strain, or of actual pain and discomfort, in talking to the class. Cases of teacher's sore throat, of laryngeal catarrh, and of complete (temporary) loss of voice, may be largely traced, in many instances, to the same cause. Instances of minor ailments amongst teachers and scholars are sufficiently numerous to be well known to all teachers, and a certain proportion, at least, can be attributed to defective ventilation.

The defective ventilation may depend upon defective construction of a building, upon defective ventilating agents, or upon the non-use of the means provided for ventilation.

The means of ventilation may be mechanical, artificial, or depend upon natural forces. In every case the fullest use of natural means of ventilation should be made, and the head teacher should be vigilant in seeing that the staff of teachers and the pupils get as much fresh air as is possible.

The ventilation may be effected by means of sliding or hinged windows, by ventilation inlet and outlet gratings, by doors, by fireplaces, or by the aid of large air-propelling fans, driven by machinery.

The following instructions are to be carefully observed by the head teacher :

1. The means of ventilation should be used.
2. Air inlets and foul air outlets should be suitably opened, and kept free from rubbish and dust, and from being covered up by maps, blackboards, etc. A reasonable amount of draught is less harmful to health than is the breathing of impure air.
3. Windows should, where possible, be used to the fullest extent, and be so managed—by experimenting with the degree of opening—that a minimum of draught with a maximum of change of air supply is attained.
4. Overcrowding in rooms and overcrowding in a class (placing the children too near to each other) should be avoided, as far as is consistent with fair administration of the classes for teaching.
5. Where high winds prevail, and windows are practically the only means of ventilation, those placed on the windward side of the room should be opened slightly at the top, and on the leeward side of the room they may be opened much more widely.
6. During playtime all doors and windows should be widely opened so as to flush the rooms with fresh air. At the dinner hour enough windows should be left open to

attain the same object. And before the commencement of the morning school, and at the end of the day's work, doors and windows should be left open sufficiently long to freshen the air of the room.

7. The school caretaker should have doors and windows widely opened when sweeping the floors, and after washing the floors and furniture.

8. In cases where many instances of sickness (in its various forms) occur in one class of children, the means of ventilation should be examined, and if found to be faulty a report should be sent to the clerk without delay.

9. All assistant teachers must carry out the above instructions, and so co-operate to obtain more efficient ventilation.

10. Some opportunity should be taken to explain to the children the need for fresh air, and to let them see the teaching put into practice.

Discretion must, of course, be used in opening the windows before school in severe weather, as the opening of the windows at such times may prevent the school from getting properly warmed. In schools where any mechanical system of ventilation is provided, the head teachers should make themselves familiar with the system, and see that the instructions of the ventilating engineers are carried out."

See Rules for School Planning, page 534.

## Higher Education.

### *Power to Aid.*

SEC. 2.—(1) The local education authority shall consider the educational needs of their area and take such steps as seem to them desirable, after consultation with the Board of Education, to supply or aid the supply of education other than elementary, and to promote the general co-ordination of all forms of education, and for that purpose shall apply all or so much as they deem necessary of the residue under section 1 of the Local Taxation (Customs and Excise) Act, 1890, and shall carry forward for the like purpose any balance thereof which may remain unexpended, and may spend such further sums as they think fit: Provided that the amount raised by the council of a county for the purpose in any year out of rates under this Act shall not exceed the amount which would be produced by a rate of twopence in the pound, or such higher rate as the county council, with the consent of the Local Government Board, may fix.

(2) A council in exercising their powers under this part of this Act shall have regard to any existing supply of efficient schools or colleges, and to any steps already taken for the purposes of higher education under the Technical Instruction Acts, 1889 and 1891.

### *Concurrent Powers of Smaller Boroughs and Urban Districts.*

(3) The council of any non-county borough or urban district shall have power, as well as the county council, to spend such sums as they think fit for the purpose of supplying or aiding the supply of education other than elementary: Provided that the amount raised by the council

of a non-county borough or urban district for the purpose in any year out of rates under this Act shall not exceed the amount which would be produced by a rate of one penny in the pound.—(Act of 1902.)

SEC. 22.—(3) The power to supply or aid the supply of education other than elementary includes a power to train teachers and to supply or aid the supply of any education except where that education is given at a public elementary school.

SEC. 23.—(2) The power of a council to supply or aid the supply of education other than elementary shall include power to make provision for the purpose outside their area in cases where they consider it expedient to do so in the interests of their area, and shall include power to provide or assist in providing scholarships for, and to pay or assist in paying the fees of, students ordinarily resident in the area of the council at schools or colleges or hostels within or without that area.—(Act of 1902.)

The amount which may be spent out of the rates by local education authorities on higher education is—

In county boroughs, unlimited.

In administrative counties, twopence in the pound. Any addition to be subject to the approval of the Local Government Board.

In non-county boroughs and urban districts, one penny in the pound. (Concurrent powers with county councils.)

The limit of age for elementary education provides that the child shall not be more than 16 at the end of the school year.—Sec. 22 (2) Act of 1902.

All evening schools conducted under the Regulations of the Board of Education, and all instruction of pupil teachers and of pupils beyond the age limit for elementary education, are now higher education, and the cost falls upon the funds provided for the purpose.

The whole of the “whiskey money” must now be applied to higher education.

Colleges for teachers may be aided or supplied, and scholarships of all kinds provided.

**Higher Elementary Schools**, first established by Minute of 6th of April, 1900. This is the most advanced type of public elementary school which can be conducted under the Day School Code.

*Cost of Erection.*—Lord Reay, in his last annual address to the London School Board, gives the cost of the erection of a higher elementary school for 300 children in eight classrooms at £9,098. As school provision is necessarily more expensive in London than in the provinces, the experience of Manchester, where it has cost about £20 per place, will be a better estimate for general use. (Rules for Planning, etc., see page 534.)

*Cost of Maintenance.*—Lord Reay gives the net cost of maintenance at £4 12s. per head of average attendance. Where fees are charged the cost might probably be reduced by 15s. per

head, after allowing for a certain number of free places. The gross cost is £7 3s. 6d. per head. (See page 122.)

*Grants.*—The grants which may be earned are set forth in the appended regulations. The average grant paid last year (Report of Board of Education) was £2 12s. 11d. per unit of average attendance of grant-earning children. In addition there would be the fee grant of 10s. per annum per child.

The following are the Day School Code Regulations with regard to higher elementary schools:

110. A public elementary school may be recognised by the board as a higher elementary school under the following conditions:

(1) The school must be organised to give a complete four years' course of instruction approved by the board.

(2) A child proposed for admission to a higher elementary school must—

(i.) Be not less than ten years of age at the date of admission;

(ii.) Have, as a rule, been for at least two years under instruction at a public elementary school;

(iii.) Have been certified by the inspector to be qualified to profit by the instruction offered in the higher elementary school.

(3) The fitness of any child to continue, or to be promoted from one year's course to another, in a higher elementary school, shall be certified by the inspector.

(4) (i.) Attendances may not be recognised in a higher elementary school for any scholar who is upwards of 15 years of age.\*

(ii.) No scholar may remain in a higher elementary school beyond the close of the school year in which he or she is 15 years old. But scholars who are receiving instruction in a school at the time of its conversion into a higher elementary school, may remain with the sanction of the Board of Education.\*

(5) Scholars newly admitted into a higher elementary school must, except with the express sanction of the inspector, commence with the first-year course.

N.B.—This section does not apply to scholars who are receiving instruction in a school at the time of its conversion into a higher elementary school.

(6) The number of scholars in a higher elementary school will, as a rule, be limited to about 300, except in the case of a school of science converted into a higher elementary school.

\* NOTE.—The age limit may be not more than 16 at end of school year (Sec. 22 (3), Act of 1902). This rule will consequently need modification.

- (7) (i.) The school must be shown, to the satisfaction of the board, to be necessary, having regard to the circumstances of the particular locality.
- (ii.) The premises must be specially equipped for practical instruction, and must be recognised by the board as suitable for the purposes of a higher elementary school.
- (8) (i.) The teaching staff of the school must possess such qualifications as may be prescribed from time to time by the board for the purposes of a higher elementary school.
- (ii.) No member of the teaching staff may undertake duties not connected with the school which may occupy any part whatever of the school hours.
- (iii.) In the first and second year courses there shall be a teacher, accepted as qualified by the board, for every 40 scholars (or less); in the third and fourth year courses there shall be a teacher, so qualified, for every 30 scholars (or less) in average attendance.
- (iv.) The grant may be reduced at the rate of not more than 10s. per annum for every unit of annual average attendance above the number for which the school staff is recognised by the board. This reduction will, as a rule, be one-twelfth of 10s. for every month during which the staff has been insufficient for the annual average attendance.

(9) The managers of any school who desire such school to be recognised as a higher elementary school must submit for the approval of the board proposals for a curriculum and time-table, and supply such other information as may be required by the board. The curriculum must be approved by the board, and must show that a sufficiency of science instruction, both practical and theoretical, is provided for in each year.

(10) The grants made to higher elementary schools are as follows:—

|                | Higher scale. | Lower scale. |
|----------------|---------------|--------------|
|                | £ s. d.       | £ s. d.      |
| 1st year ..... | 1 15 0        | 1 11 0       |
| 2nd year ..... | 2 7 0         | 2 3 0        |
| 3rd year ..... | 3 5 0         | 2 15 0       |
| 4th year ..... | 4 10 0        | 3 13 0       |



The board shall decide which, if either, of these grants shall be paid, in the case of each year's course, after considering the report and recommendation of the inspector upon each of the following four points :

- (a) The suitability of the instruction to the circumstances of the scholars and the neighbourhood.
- (b) The thoroughness and intelligence with which the instruction is given.
- (c) The sufficiency and suitability of the staff.
- (d) The discipline and organisation.

The inspector will recommend the higher grant unless he is unable to report favourably upon the school under these heads.

(11) (i.) The sum named in section 10 of this article is in each case the amount of a year's grant for each unit of average attendance.

(ii.) For the purpose of reckoning the average attendance at a higher elementary school an attendance shall mean attendance during two and a half hours.

(12) No grant may be received from the board by any higher elementary school in addition to the grants named in section 10 of this article, with the exception of the fee grant.

(13) Separate registers and separate accounts must be kept for the higher elementary school.

(14) No scholar may attend a higher elementary school who is attending an evening school or class under the regulations of the board. This does not apply in the case of a scholar attending an art class above group 1, under the regulations of the directory of the board.

(15) The other articles of this Code are applicable to higher elementary schools, except so far as a contrary intention appears from the terms of this article.

The Board of Education state in their 1901 Report—

Twenty-eight higher elementary schools have now been recognised, an increase of ten over the number recognised up to 30th June, 1901. Proposals for the provision of other schools have been conditionally approved, and some cases are still under consideration.

#### *Instruction.*

These schools are organised for the purpose of providing a more advanced instruction than can be given in the ordinary elementary schools for children between 10 and 15 years of age who are certified by an Inspector of the Board as qualified to profit by such instruction. The special object which they have in view is to qualify the children taught in them to enter any of those callings in which scientific methods have to be employed. With this intention the course of instruction, though not exclusively scientific, has been given a science basis, and all the scholars are trained to make accurate measure-

ments and to perform and record simple experiments. One foreign language and elementary mathematics are included in the curriculum, whilst careful attention is given to drawing.

The course of instruction is spread over four years, and we have been careful to impress upon managers of higher elementary schools the importance of retaining as many of the scholars as possible throughout the latter half of the course, in order that they may reap the full benefit of the more advanced instruction.

#### *Number of Schools and Children.*

Of the 28 schools now recognised, 27 have been provided by School Boards, and one by voluntary managers. Ten of them (including the one voluntary school), were inspected and received grants during the past year; they provided recognised accommodation for 3,430 children.

The average number of children on the registers throughout the year was 3,240, and the total number on the last day of the school year was 2,872. Of these 2,872 children, 1,484 were boys and 1,388 were girls; 278 were over 15 years of age; 1,236 paid no fees, 276 paid a weekly fee of from 3d. to 6d., 1,335 paid from 6d. to 9d., and 25 paid 9d. and over. The average attendance of children throughout the year was 3,045. The grant-earning average attendance, *i.e.*, that of children under 15 years of age, was 2,863; the remaining 182 represent attendances made by children over 15 years of age, and therefore not eligible for grants.

Instruction was given in manual instruction to eight schools and to 1,840 children, in cookery to eight schools and to 1,072 children, in laundry work to three schools and to 266 children, and in domestic economy to one school and to 47 children.

#### *Teachers.*

The number of certificated teachers was 102, of whom 12 were graduates. There were also two graduates who were not certificated, four assistant teachers, and 35 teachers of special subjects, making up a total of 143. The principal teachers received an average salary of £292 11s.

#### *Cost.*

The average cost of maintenance in the nine Board Schools was £7 3s. 6d. The returns for the Voluntary School were for ten months only, and afforded no sufficient basis on which to make the required calculation.

#### *Grants.*

The average attendance of children eligible for grants, *i.e.*, children of 15 years of age and under, who attended the first year's course, was 903, on which a grant of 35s. per unit was paid; the number who attended the second year's course was 829, on which a grant of 47s. per unit was paid; the number who attended the third year's course was 836, on which a grant of 65s. per unit was paid, and the number who attended the fourth year's course was 295, on which a grant of 90s. per unit was paid. All these grants are on the higher scale.

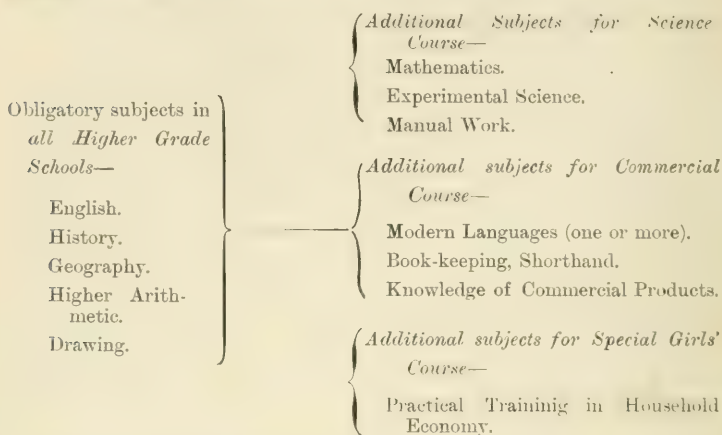
The total grant paid was £7,374 13s. Taking a common basis of a 12 months' grant for ten schools, this would give an average of £2 12s. 11d. per unit of average attendance of grant-earning children.—Report 1901-2, pp. 41-42.

**Higher Grade Schools.** The development of elementary education which led to the establishment of the schools which are known as the higher grade schools is accurately described in the following extract from the Report of the Royal Commission on Secondary Education, 1895:—

Speaking of the use of the higher grade schools, the report says: "For some years the work of erecting and organising schools to meet the needs of the vast mass of children, whom it was their duty to provide for, fully occupied the school boards, but after a time they found themselves drawn on to attempt to improve the range and quality of the instruction given. Thus subjects which had been deemed luxuries for children who were to leave school at twelve soon began to be classed as necessities. The pressure of the boards afterwards brought about an extension of the Parliamentary grant to a new standard, now called the seventh, in which an instruction more advanced than had been attempted in the earlier years of the system received recognition in various branches. Still later some school boards undertook to carry on the education of children beyond the limits which the Parliamentary grant had fixed, and instituted what are called 'ex-standard classes,' while other boards even set up schools intended to furnish children who had passed the standards with instruction in such subjects as history, grammar, French, mathematics, and the elements of physical science. These schools, though they have received the name of 'higher grade elementary,' are really secondary in their character, so far at least as regards their higher classes in which instruction beyond the standards is given. They have, in fact, stepped into the educational void which the Schools Inquiry Commissioners, noting it with regret, had proposed to fill by what they termed 'secondary schools of the third grade.'"

It was natural that the managers of these higher grade schools should avail themselves of the grants offered for science and art instruction by the South Kensington authorities, and in 1887 the Department established a course of instruction for organised schools of science. So it came about that the upper portion of these higher grade schools became organised science departments, attended by pupils during a four-years' course, extending from Standard VII., and being of the ages of from 12 or 13 in the first year's course to 16 or 17 years in the fourth year's course. By this association with South Kensington rules and inspection, the higher grade schools followed out a course of instruction which leans too much towards science: time being taken up in science which might to greater advantage be given to subjects of general education. It would be to the undoubted advantage of these schools if the instruction were arranged on the lines laid down for higher grade schools in the Scotch Code.

The following diagram practically illustrates the alternative courses of study provided for higher grade schools in the Scotch Code:—



Twenty years ago these higher grade schools received great encouragement from the Board of Education. Mr. Mundella addressed a special letter to the Welsh Boards on the subject. Loans were readily granted, which caused the building of laboratories, lecture rooms, and provision for special instruction. Sheffield was the first board actually to build a higher grade school, and this was done at a cost of over £50,000 for premises, since considerably enlarged; Leeds, Manchester, Birmingham, and a score of other towns followed the example, and there are now more than sixty such schools in existence.

Their success was immediate and phenomenal, due in part to the excellence of the instruction, and also to the fact that they filled a gap in our so-called system of education.

They are the natural development of the existing elementary school system. They led to a great extension of the school age. In South Shields, before the opening of the higher grade school, there were in board schools only 120 children above the sixth standard. The higher grade school opened in 1890, and in ten years the number of such children nearly quadrupled. The elementary schools have been stimulated. The pupils of higher grade schools at Cardiff, Leeds, Manchester, and other large towns have at local university examinations frequently taken rank "amongst the most brilliant and successful of their graduates." In one year 20 boys and girls from the Cardiff Higher Grade School graduated at the London and Welsh Universities, and during 11 years a sum of £6,762 was gained in scholarships tenable at the local university college by pupils



from the same institution. At the Manchester Central Higher Grade School 44 National Scholarships and Royal Exhibitions, of the annual value of £50 or £60 each, have been carried off by scholars trained there," and at the well-known Leeds Central School equally good results have been secured in the examinations of the London and Victoria Universities.\*

Higher grade schools are in their upper division schools of science (or "Secondary Schools A:" the name now given to them by the Board of Education), but in their lower division vary considerably.

In Manchester we have aimed at making Standard IV. or V. the lower end of the higher grade school, with an adjacent school acting as a junior department, and fees are charged throughout. This arrangement suits a large class of people who are willing to pay school fees, but the fees are not allowed to stand in the way of the promotion of deserving scholars from the ordinary schools of the city. For their benefit a rule exists by which any child who has gone through Standard VI. elsewhere is admitted free to the higher grade school.

These arrangements work well. Whilst fees help the school considerably, no child loses the benefit of the higher instruction by reason of inability to pay the school charges. The fee is sixpence per week, with some addition in the case of children whose parents are not ratepayers in the city, and the scholars buy their own books, etc.

On a recent public occasion the present Chairman of the Technical Instruction Committee (Sir James Hoy) stated that "there is, I think, a special fitness in your knowing with how much success the work of the Technical Instruction Committee has met through the efforts of the Higher Grade School in Manchester. We have now had an experience of about nine years in regard to scholarships, and I desire to put before you the following statements. I have here a table, the points brought out in which it will not take me more than a minute or two to read. It is a statistical statement, covering a period of eight years, from 1891 to 1899, and will serve to show the advantage which is derived from the establishment of higher grade schools as a logical development of the elementary schools in a great city, and as promoting the object of continuing the education of boys and girls for a lengthened period—first in higher grade schools, and subsequently in introducing them for more advanced study either in the university college or in the specialised instruction of the technical school preliminary to entering upon industrial or commercial life. The table shows conclusively that in the

\* An interesting series of articles on higher grade schools appeared in the *School Board Gazette* of November, 1900, under the heading, "Advanced Education for the Industrial Classes—A Series of Papers on Higher Grade Education."



absence of the facilities thus afforded a very large number of boys and girls would have been deprived of the opportunity of further and most desirable advanced or specialised study. Out of 272 scholarships awarded during those years 108 have been granted to pupils of higher grade schools, who have thence proceeded to the higher institutions named, whilst only 67 have come from other schools, and of this latter number 33 were contributed during 1891 to 1897 from the preparatory department of the Municipal Technical School, which ceased to exist under the arrangement with the school board at the latter date, leaving the net number of 34 from other secondary schools—that is to say, to put it briefly, 108 of these scholarships have been secured from higher grade schools, while only 34 have been secured by scholars of other secondary schools. It is scarcely too much to say that the scholarship scheme of the Manchester Technical Instruction Committee would have largely failed but for the establishment of the higher grade schools by the Manchester School Board.”

Scholars in higher grade schools in Manchester cost the rates an annual sum of £1 0s. 7d. per head, after allowance for Government grants, school fees, etc.

**Holidays.**—The usual holidays in public elementary schools are: Four weeks at Midsummer, two weeks at Christmas, one week at Easter, and one week at Whitsuntide.

In arranging the holidays it must be borne in mind that under the Code a school must be open at least 400 times during the year. In schools attended by Jewish children the holidays should be arranged to fit in with the great religious periods of the Jewish race.

H.M. Inspectors should be advised of all school holidays, particularly of those other than the usual vacations.

**Housewifery.**—Grants for household management have, during the past year, been paid to 97 departments and for 7,195 scholars.—Report, 1,901-2, page 22.

See Domestic Subjects. Page 71.

**Industrial Schools.**—Certified industrial schools (inspected by the Home Office—Chief inspector, Mr. J. G. Legge, Great Scotland Yard, London, S.W.) are for the training and education of vagrant, criminal, or incorrigible children committed by the magistrates, and were first established in England under an Act of Parliament passed in 1857, Scotland having obtained similar legislation three years before. There are in Great Britain 142 ordinary certified industrial schools (of which 8 are ships), 14 truant schools, and 22 day industrial schools.

The children under detention in industrial schools in Great Britain on December 31st, 1901:—

|                             | Boys.        | Girls.      | Total. |
|-----------------------------|--------------|-------------|--------|
| Industrial schools .....    | 14,272 ..... | 4,633 ..... | 18,905 |
| Truant schools .....        | 1,232 .....  | — .....     | 1,232  |
| Day industrial schools .... | 2,415 .....  | 873 .....   | 3,288  |
| Totals .....                | 17,919 ..... | 5,506 ..... | 23,425 |

The law was consolidated in the Industrial Schools Act, 1866, since amended by several statutes. (See page 466.)

The following are the principal categories under which children are committed:

1. Any child apparently under the age of 14 years—  
“Found begging or receiving alms (whether actually or under the pretext of selling or offering for sale any thing) or being in any street or public place for the purpose of so begging or receiving alms;  
“That is found wandering or not having any home or settled place of abode, or proper guardianship or visible means of subsistence;  
“That is found destitute, either being an orphan or having a surviving parent, who is undergoing penal servitude or imprisonment;  
“That frequents the company of reputed thieves.”  
(Section 14 of the Act of 1866.)
2. A child apparently under the age of 12 years charged  
“with an offence punishable by imprisonment or a less punishment,” but who has not been convicted of felony. (Section 15.)\*
3. “Where a parent or step-parent or guardian of a child apparently under the age of 14 years,” represents to the magistrate “that he is unable to control the child, and that he desires that the child be sent to an industrial school.” (Section 16.)
4. A refractory child under 14 years of age in the work-house or pauper school. (Section 17.)

Further provisions deal with—

Children under 14 years of age of women convicted of crimes (on second conviction). (Section 14 of Prevention of Crimes Act, 1871.)

Cases of disobedience to school attendance order. (Section 12 of the Elementary Education Act, 1876.)

Cases of offence by children committed to day industrial schools. (Section 16 of the Elementary Education Act, 1876.)

Children “lodging, living, or residing with common or reputed prostitutes, or in a house resided in or

\* See Sec. 1, Youthful Offenders Act, 1901, for amendment.

frequented by prostitutes for the purpose of prostitution," or that frequent the company of prostitutes, may be dealt with under the 14th section of the Act of 1866. (Industrial Schools Act Amendment Act, 1880.)

*Ordinary Industrial Schools* are either land schools or ships where children committed under the foregoing sections are fed, lodged, and trained. The majority of these schools are under voluntary management, and by agreement with school boards, etc., receive children for training. (See "Contributions to Industrial Schools," page 132.)

The expense of maintenance in an ordinary industrial school is from 7s. to 8s. per week. This expense is met partly by the Treasury contributions (see page 133), and partly by the amounts contributed by the local authorities (see page 132).

*Truant Schools* are for the keeping of boys under control, discipline, teaching, and industrial training for a period of about three months. In so short a time instruction can only be attempted in certain trades and industries, such as tailoring, stocking knitting, darning, mending, boot making, wood chopping, mat making, or in gardening.

*Day Industrial Schools* are schools where the managers provide for children between 5 and 14 (coming under the Industrial Schools Acts), industrial training, elementary education, and one or more meals a day, but not lodging, and were authorised by the Elementary Education Act, 1876. The children go home to sleep, and may be licensed out to attend public elementary day schools.

Day industrial schools may be used for the following classes of children:

#### I. CHILDREN UNDER DETENTION.

- (a) Any child who, under the Industrial Schools Act, might be sent to a boarding industrial school unless it is a child without a home or destitute, or a refractory child sent from the workhouse—cases to which a day school is manifestly inappropriate.
- (b) A child between five and 14 may, for breach of an order requiring him to attend school under the Elementary Education Act, 1876, be sent to a day industrial school, but such an attendance order can only be made on a child who is either—
  - (1) Under the Act prohibited from being taken into full-time employment, and the parent must habitually and without reasonable excuse have neglected to provide sufficient elementary instruction for it;
  - or,
  - (2) A child found habitually wandering or not under proper control, or in the company of rogues, vagabonds, disorderly persons, or reputed criminals.

These children are sent by order of the court, which authorises their detention during certain hours of the day. Order to be for not more than three years or after 14.

## II. CHILDREN NOT UNDER DETENTION.

- a) A child may attend the day industrial school by agreement between the managers, the school authority, and the parent, in pursuance of an attendance order made by the justices on the complaint of the school authority.
- b) A child may attend not in pursuance of any order of the court, but by agreement with the managers at the joint request of the local authority and the parent.

These children are not liable to compulsory detention; order to be for not more than one year or beyond 14.

The following interesting account of a day industrial school is taken from *The School Board Gazette* (May, 1899):

"A day industrial school is open from 6 a.m. to 6 p.m. for any children who care to come, or whose parents care to bring them, on their way to work, but the ordinary hour for opening is 8 a.m.

"The children who come early light the fires, fetch in coals, water the plants, and unlock all the doors. From 8 a.m. to 8-30 the bigger children prepare the breakfast table in the dining hall, and place a piece of bread by the side of each mug. At the end of the desks are placed six mugs or basins, and a big boy fills each with coffee, cocoa, or tea, according to the 'dietary form.' From 8-20 to 8-30 the boys get washed, also the girls, each in their separate lavatories, and each having a separate towel, numbered.

"From 8-30 to 9, breakfast in the dining hall, consisting of bread, *ad lib.*, with treacle or dripping alternately, and cocoa, etc.

"The children proceed from their breakfast into the school-room, the Roman Catholics being first taken into a separate room for Scripture, given by a Catholic teacher. The other children have prayers and Scripture until 9-30, and then all proceed with ordinary lessons until 12 o'clock. The curriculum is usually of a somewhat unambitious character: but, in some cases, such subjects as drawing and manual instruction for boys, and cookery and laundry work for girls, have been introduced of late years with much advantage, and to the manifest quickening of the children's interest in educational work. Two boys are told off to clear the mugs and remains of breakfast into the scullery, where another boy or girl receives them, washes the mugs, etc., and puts them away ready for the next meal. The two boys then sweep the desks and floor, and also scrub the floor during the morning, after which they lay the cloths, knives, and forks, salt, pepper, and mug of water ready for dinner. In the kitchen there is a girl who has to keep the fire going, scrub the dressers, polish the boilers, and assist the cook.

"At noon the children go into the playground for half an hour, after which they have dinner from 12-30 to 1 p.m. Then the smaller children go out again, whilst the elder ones clear

away the remains of dinner, and clean the knives, forks, and spoons.

"At 1-20 the children again get washed, and come into school at 1-30 for lessons until 4 p.m.

"During the afternoon seven boys, not always the same, saw and chop wood, whilst two of the strongest of the boys take out in the hand-cart any chips that have been ordered.

"The school is heated by steam, and the boys (the three older ones), under the direction of a man, take turns in minding the boilers and keeping the steam up to the required heat. The lavatories, passages, bowls, mats, etc., are cleaned every day by different boys and girls. Then there are yards to be swept, grates to be cleaned, windows to be washed, and, for the girls, towels and tablecloths to be washed, also a few simple dishes in cookery to be taken—these are taught alternate Wednesdays, laundry work the other Wednesdays, when the boys are taking woodwork.

"At 4 p.m., after prayers, the children who have no household duties go into the playground until 5 p.m.; the other children meanwhile are laying the cloths, and getting tea ready. After tea, from 5 to 5-30, a certain number of children clear away and wash all pots, dressers, servers, cans, etc., ready for morning.

"Once a month the girls wash the paint, and scrub down all passages, floors, window ledges, and desks, whilst the boys scrub the floors and clean all the lower windows, leaving the upper ones for the caretaker. All potatoes, carrots, turnips, onions, fish, and peas are prepared by the children the afternoon before the day they are required.

"The children are washed three times every day, and bathed once a week, girls on Thursday from 2-30 to 4 p.m., boys on Friday at the same time. In summer the older boys and girls take lessons in swimming, in place of the weekly bath.

"All cuts, gatherings, burns, and small sores are treated at school, but serious cases are sent off to the infirmary; sometimes a strong boy will carry a younger one on his back to the infirmary and return with him in the same way.

"The following is the 'Dietary Form':

#### DINNERS.

"Monday: Roast beef, potatoes, bread.

"Tuesday: Soup (made from shin beef), with turnips, peas, potatoes, and carrots in it, also bread.

"Wednesday: Bacon and peas, also bread.

"Thursday: Same as Tuesday.

"Friday: Fish, parsley sauce, bread, potatoes.

"Saturday: Coffee, bread and cheese, or bread and corned beef.



## BREAKFASTS AND TEAS

"Consist of bread, *ad lib.*, with treacle or dripping, and once a week margarine, together with a pint of tea, coffee, or cocoa.

"In spring, sometimes the children have boiled rice and treacle instead of fish for dinner, and stewed rhubarb at tea instead of treacle.

"The first week in January all the children have a Christmas Dinner, consisting of roast beef, mashed potatoes, and plum pudding with sauce. After dinner the children receive prizes, including stockings and shirts, and flannel for petticoats: each gets an orange, and returns home early.

"The scholars are also taken for a day in the country on special occasions, such as public celebrations, when they are treated to buns, lemonade, sweets, dinner, and tea, and have sports, with small prizes."

The expense of maintenance in day industrial schools is taken to be 3s. 6d. or 4s. per week, of which the food costs about 1s. 3d. This expense is met partly by the Treasury contributions, partly by the contributions from the parents or guardians, and the residue is made up by the managers from the rates.

In Manchester Day Industrial School it is calculated that each child costs about 4s. for education, food, and all maintenance charges, and this amount is met by Government grant, 1s., payments by parents,  $7\frac{1}{2}$ d., children's earnings,  $2\frac{1}{2}$ d., and balance from rates, 2s. 2d. per week—total, 4s.

*Powers and Duties of Local Education Authorities.*—The following are the main provisions:

(For the Industrial Schools Acts see page 466.)

Sec. 27 of the Act of 1870 gave school boards the power of contributing money to industrial schools as a prison authority under sec. 12 of the Industrial Schools Act, 1866, a power previously possessed by the councils, and which now wholly reverts to them.

Sec. 28 (Act of 1870) enabled a school board to establish, build, and maintain a certified industrial school.

Sec. 36 (Act of 1870) gave power to school boards to appoint industrial schools officers. These powers and duties were extended by the Act of 1876. Sec. 13 made it the duty of the school board to carry out the Industrial Schools Acts with regard to the committal of children liable to be proceeded against; sec. 16 established day industrial schools, and the Act of 1879 gave further powers regarding contributions towards cost of buildings, etc., and borrowing money for same.

The Industrial Schools Acts have generally been carried out by the school boards of the great towns on the following lines:—

*Special Officers*, known as Industrial Schools Officers, have been appointed. In Manchester, with a population of 546,000,

we have two such officers, who attend at the Police Courts each day. All cases of children brought before the Court, and thought by the Magistrates to be suitable cases, are remanded for school board inquiries. Cases of criminal, wayward, or incorrigible children found in connection with the carrying out of the law of enforcing school attendance, are also referred to these officers. No cases are committed without the approval of the Chairman of the Industrial Schools Committee of the Board and the Clerk of the Board, such committals being confirmed at the monthly meetings of the Committee. The officers also collect the parents' contributions in the case of day industrial school children.

*Committals to Industrial Schools.*—Care is taken that children are only committed to industrial schools of the religious denomination to which their parents belong.

*Contribution to Industrial Schools.*—A few school boards (London, Brighton, Leeds, Leicester, etc.) have been obliged to establish industrial schools of their own, but the majority of certified industrial schools are under voluntary management, and well controlled. Agreements for the reception of children committed at the instance of the school boards have been entered into with the managers of such schools. There are a number of industrial school ships, such as the "Clio," at Bangor; the "Formidable," at Portishead; the "Southampton," at Hull; the "Wellesley," at Newcastle, etc., suitable for strong boys of 12 years of age and upwards. It has been found of distinct advantage to send children to schools situated at a distance from their so-called homes. The amount of the contribution by the school board has generally been fixed at such an amount per week as will, with the Treasury allowance (see page 133), make up the whole to 7s. per week for each child. The Manchester agreement provides for the payment of 25s. outfit on admission, and of a premium of 50s. for satisfactory disposal, provided the board are satisfied both as to employment and lodging, and that the child has been placed out a reasonable time before the conclusion of the sixteenth year.

*Visitation, etc., of Industrial Schools.*—Arrangements have been made by the school boards for periodical visitation, on their behalf, of the schools taking children under their agreement.

It is satisfactory here to bear testimony to the admirable work performed by these schools. Nearly the whole of the children, after passing through the schools, become honest and industrious members of the community.

For Treasury allowances to industrial schools, see page 133.

The gross cost of keeping a boy in a residential industrial school is £22 0s. 8d. per annum, and of a girl £19 4s. 9d. (England).

## TREASURY ALLOWANCES TO INDUSTRIAL SCHOOLS.

**Residential Industrial Schools.**

|  | Per week. |
|--|-----------|
| s. d.  |           |
| (To training ships, for each child* .....  | 6 0       |
| 1. Ordinary cases, { Ordinary industrial schools, estab-   |           |
| s. 14, s. 15 ... lished prior to 1st March, 1872 .....   | 5 0       |
| { Ordinary industrial schools, estab-  |           |
| lished subsequent to 1st March, 1872 .....   | 3 6       |
| 2. For children committed to industrial school or ship under Section 12, the original proceedings having been taken under Sub-section 2 of Section 11 of Elementary Education Act, 1876 .....                                      | 3 6       |
| 3.† For children sent under Section 28, Order in Council, 20th March, 1877 :—  |           |
| If sent to the day industrial school under Clauses A, B, C, and F of the Schedule of the Order in Council .....  | 3 6       |
| If sent under Clauses D and E .....  | 2 0       |
| 4. For incorrigible children committed under Section 16 of Industrial School Act, 1866, beyond the control of their parents .....  | 2 0       |
| 5. For children committed under Section 12, the original proceedings having been taken under Sub-section 1 of Section 11 of the Elementary Education Act, 1876 ...   | 2 0       |
| 6. All the rates over 2s. a week are subject to reduction to 3s. (1) while the children are under 10 years of age, or (2) when they shall have attained the age of 15 years, provided they have been under detention four years... | 3 0       |
| 7. For inmates who, having attained to Standard V., are allowed to work out all day, where the ordinary grant is 5s., 3s. 6d., or 3s. (Section 16 and Sub-section 1 to remain at 1s. ....  | 2 6       |
| 8. No allowance is made by the Treasury for (1) children under six years of age, or (2) for children sent from workhouses at the instance of guardians under Section 17 of Industrial School Act, 1866.....                        | Nil.      |

The following additional allowances are also made by the Treasury :—

- (a) For children "recalled" to a certified industrial school under the provisions of the Industrial Schools Acts Amendment Act, 1894..... 2 6
- (b) For children licensed under the provisions of Section 27 of the Industrial Schools Act, 1866, to certified working boys' homes ..... 2 6
- (c) For children remanded to "fit and proper persons" under the provisions of the Youthful Offenders Act, 1901 .....

Per day.

0 9.

\* The Treasury grant a maximum allowance of 6s. per week to industrial ships under following conditions:—

"Wellesley"  
 "Formidable"  
 "Southampton"  
 "Empress"

No grant for boys under 11 years of age.

"Mars"  
 "Ohio"  
 "Mount Edgecumbe"

No grant for boys under 12 years of age.

"Shaftesbury." Maximum grant 3s. 6d. No grant for boys under 12 years of age.

† NOTE.—This applies to committals from day industrial schools to residential schools.

**Day Industrial Schools.**

9. To day industrial schools the total allowance from Treasury does not exceed 1s. a week per head; 10s. a quarter being allowed for maintenance, and the remainder depending on the education and good organisation of the school.

N.B.—The usual grant is allowed for 14 whole days' holiday taken in the year in the case of land schools, and the same number in the case of ships; any further absence on this ground must not be charged. The grant is also allowed for children sent temporarily to hospital in cases where there is a *bona fide* weekly charge, but if an absence of over three months is necessary, the special sanction of the Secretary of State must be obtained.

**Industrial Schools Acts.**—See pages 466 to 491.

**Infants' Schools.**—The Day School Code prescribes the course of instruction in infants' schools and classes as follows:—

15. (a) The course of instruction in infants' schools and classes should, as a rule, include—

Suitable instruction in reading, writing, and numbers.  
Simple lessons on common things.  
Appropriate and varied occupations.  
Needlework.  
Drawing.  
Singing.  
Physical exercises.

The revised instructions dealing with infants' schools state:—

“The instruction of infants' schools and classes must be adapted to the tender age of the scholars. The length of the lessons therefore should never exceed 30 minutes, and would be better reduced to 15 or 20 minutes, and the lessons should be varied in length according to the section of the school. In the babies' room, which should always, where circumstances permit, be separated from other rooms by a partition (movable or otherwise), and should contain abundant space for games and exercises, the actual work of the lesson should not be more than a quarter of an hour. Each lesson should be followed by intervals of rest or singing. It is evident, therefore, that older boys and girls, who do not need these intervals, and require longer lessons, cannot be considered suitable pupils in an infants' school merely on the ground of their ignorance. Though the methods of teaching are similar, such children require a somewhat stricter discipline and lessons of greater length. They do not find the songs and games of the infants' school attractive, and they are not fit companions for very young children in the playground. Though no rigid rule as to age can be applied, especially in the cases of delicate and afflicted children, it may be safely laid down that backward scholars of advanced age would make more progress in knowledge, and form better habits, in a school for older scholars than in an infant school.



"The manual or other employments best suited for infants are modelling, simple geometrical drawing, weaving, plaiting, building with cubes, drill, singing, recitation, and such other exercises as will relieve them, especially during the afternoon, from the strain of ordinary lessons, and train them to observe and imitate. It should be borne in mind that it is of little service to adopt the "gifts" and mechanical occupations of the Kindergarten unless they are so used as to furnish real training in accuracy of hand and eye, in intelligence, and in obedience.

Two leading principles should be regarded as a sound basis for the education of early childhood:—

- (1) The recognition of the child's spontaneous activity, and the stimulation of this activity in certain well-defined directions by the teachers.
- (2) The harmonious and complete development of the whole of a child's faculties. The teacher should pay especial regard to the love of movement, which can alone secure healthy physical conditions; to the observant use of the organs of sense, especially those of sight and touch; and to that eager desire of questioning which intelligent children exhibit. All these should be encouraged under due limitations, and should be developed simultaneously, so that each stage of development may be complete in itself.

It is often said that the Kindergarten occupations are treated as mere toys, or amusing pastimes, because they are attractive for children, and the intellectual character of the "Gifts of Froebel" is disregarded, whereas the main object of these lessons is to stimulate intelligent individual effort.

The attention of teachers should be directed to the chief consideration which underlies true methods of infant teaching, viz., the association of one lesson with another through some one leading idea or ideas. The reading lessons, occupations, and object lessons may all be usefully combined for one purpose—*e.g.*, if the teacher wishes to impress on her class some knowledge of a domestic animal, she may usefully combine the object lesson for general study of its structure: the reading lesson for a knowledge of its habits and character; some occupation, such as pricking the outline, to impress an exact knowledge of its form: a song or simple story bearing on its association with human life: so that familiarity with animals, especially with domestic animals, and a kind treatment of them may be fostered.

On the other hand, teachers should be cautioned against the mere repetition of the same exercises and lessons: the progressive character of the whole scheme of instruction should be constantly kept in view: and each exercise should lead up to something beyond itself.



" Pictures and flowers have been wisely introduced in greater abundance into infant schools and have added much to their cheerfulness and attractiveness. They should be frequently taken down into the class, and made the subject of conversation. It is not enough that the children should be taught to observe these things and to answer questions upon them. They should be encouraged in every way to give expression in their own words to what they know, what they want to know, and what they think.

It will be found that the elementary subjects when taught on right methods can be treated with greater variety; reading becomes a Kindergarten lesson through pictures and word-building; writing becomes a variety of kindergarten drawing; elementary exercises in numbers are associated with many of the Kindergarten occupations.

It is the experience of many good teachers that by the adoption of such methods it is found to be unnecessary before the sixth year is passed to employ books for reading, except occasionally for a change of occupation, or perform any exercise in writing, except the elements of letters, or to do any formal arithmetic work on slates.

It may reasonably be hoped that the observance of these suggestions will materially improve the work of the younger children in infants' schools and classes, by relieving the teacher from useless subdivision in the elementary subjects, and by rendering the instruction less formal, but more varied and attractive.

The following list of varied occupations may serve as a guide to teachers, especially in infants' schools or classes, which may be divided into two sections for those lessons.

A.—What children between the ages of five and seven can do :

Games with music.

Games without music (guessing games, etc.; taking messages).

Picture lessons.

Object lessons.

Story lessons—*e.g.*, stories from history; Grimm's "Household Tales."

Recitations.

Paper folding.

Mosaic with coloured paper; use of gum.

Drawing. Brush drawing.

Plaiting paper.

Ruling simple geometrical forms.

Measuring length. Estimating length.

Weighing. Estimating weight.

- “Setting a table (carrying a glass of water without spilling it; moving cups without breaking them).
- Modelling in clay.
- Basket work.
- Cutting out patterns and shapes with scissors.
- Word building.
- Number pictures, with cubes, beads, etc.

B.—What children between three and five years of age can do :

- Games with music.
- Games without music (guessing games, etc.).
- Recitations—nursery rhymes, etc.
- Picture lessons (learning to answer in complete sentences as to what they can see in a picture).
- Paper folding.
- Mosaic with coloured tablets.
- Drawing.
- Matching colours (picking out the same shades of wool from a heap of remnants).
- Plaiting paper.
- Working patterns with needle and worsted.
- Threading beads in twos, threes, etc.
- Arranging shells in twos, threes, etc.
- Arranging ‘pictures of number’ with cubes.
- Work building.”—(Revised Instructions.)

## Infectious Disease.

The Day School Code provides that: “The managers must at once comply with any notice of the sanitary authority of the district in which the school is situated, or any two members thereof acting on the advice of the Medical Officer of Health, requiring them for a specified time, with a view to preventing the spread of disease, or any danger to health likely to arise from the condition of the school, either to close the school or to exclude any scholars from attendance, but after complying they may appeal to the Board if they consider the notice to be unreasonable,” (Art. 88), and “where the Board are satisfied that by reason of a notice of the sanitary authority under Article 88, or any provision of an Act of Parliament requiring the exclusion of certain children, or by reason of the exclusion under medical advice of children from infected houses, the average attendance has been seriously diminished, and that consequently a loss of annual grant would, but for this article, be incurred, the Board have power to make a special grant not exceeding the amount of such loss in addition to the ordinary grant.”—(Art. 101.)\*

It is most desirable that public elementary schools should work in the closest relationship with the sanitary authority and the officer of health.

The safeguards against the spread of disease, in a large school district where the matter has received the earnest attention of

the authorities, may here be briefly enumerated, so far as the schools are concerned.

- (a) The school board are supplied regularly by the medical officer of health with the names and addresses of the homes, having children, where there is infectious disease, so far as the diseases are concerned which are compulsorily notified to the authorities by medical practitioners. These returns are further supplemented by information sent to the board by the medical officer of health as to the cleansing and disinfection of houses where disease has occurred, and the discharges from the hospitals dealing with such cases.
- (b) The school board officers, by means of postcards, advise the medical officer of health immediately of all cases of infectious disease amongst children coming to the knowledge of the officers in their daily visits to the homes of children absent from school, and these returns are supplemented by notifications from the schools of children excluded owing to sickness of a like nature.

These rules apply not only to the diseases compulsorily notified (such as fevers and diphtheria), but also to measles and whooping-cough.

In the thickly-populated urban districts the closing of schools on account of epidemic disease is not a wise policy to pursue, except under very extreme circumstances. The wise policy is to carefully exclude children coming from infected houses.

In support of this contention there may be quoted the words of the medical adviser to the Local Government Board, the late Sir Richard Thorne Thorne, contained in a memorandum issued in July, 1897, dealing with school closure and exclusion from school as precautions against infection, with a view to indicate the best means of preventing the spread of disease by school children among their fellows, while avoiding any unnecessary interruption of the work of education.

The memorandum states that:

"In sparsely populated rural districts, where the children of different households or of separate hamlets rarely meet except at or on their way to the village school, the closing of the school is likely to be effectual in checking the spread of disease. It is less likely to be useful in a town or compact village (particularly where houses are sub-let and yards are in common) where the children of different households when not at school spend their time in playing together, and often run in and out of each other's houses. But it must be remembered that children when at play out of doors are brought into much less close association with each other than when in school. In rural districts where epidemic diseases are less frequently prevalent, school closing may be

required as an exceptional measure to meet an exceptional state of things. As regards more populous places it must not be forgotten that if schools were to be closed whenever an infectious disease was prevalent, there are many places where schools would hardly ever be open."

Although sanitary authorities may not care to make measles and whooping cough notifiable by medical practitioners, owing to the serious expense incurred, these diseases should be scheduled as "contagious," in order that careless parents may be liable to punishment for exposing children so affected. It is no uncommon thing for an outbreak of measles to commence owing to a careless mother sending a child to school when actually suffering from the disease.

With reference to the administration of Art. 101\* of the Day School Code, the Board of Education issued the following instructions to H.M. Inspectors of Schools, May 1st, 1902:

SIR.—For school years ending on and after 30th June, 1902, the Board of Education will administer Article 101\* of the Code by the method explained in the enclosed memorandum, which will be affixed to page 1 of Form 9.

You will observe that a claim for a special grant under this article will in future be based upon the actual marking of the attendance registers, and the validity of a claim will depend on the trustworthiness of the registration of the absences (E).

The circumstances under which a mark of absence may be entered as (E) are carefully set out in section 17 of Appendix II. of the Revised Instructions.\* In verifying the accuracy of the registration on the day of your visit to a school, you should take the opportunity of satisfying yourself, to the extent you think desirable, that absences have only been marked (E) where these conditions have been satisfied.

Managers are instructed in the memorandum that H.M. Inspector may require to see the authority for marking absence previous to the day of his visit as due to epidemic sickness. Such authority should generally be in writing, but you will use your discretion in cases where written authority is not produced.—G. W. KEKEWICH.

## Inspectors and Organising Masters.

The Code for Day Schools defines what is meant by "inspector," "chief inspector," and "organising teacher."

### *Inspector.*

5. The term "Inspector" means one of the Inspectors of the Board, or any person employed by the Board as acting inspector, sub-inspector, directress of needlework, or inspectress of cookery, or any inspector of returns, appointed under the Elementary Education Act, 1870, sec. 71.

\* When a child is prevented from attending the school, by reason of a notice of the sanitary authority under Art. 88 of the Code or any provision of an Act of Parliament, or is excluded under medical advice because the house in which he lives is infected (Art. 101\*), his mark of absence (in the class register) should be entered thus: (E) (epidemic disease).

*Chief Inspector.*

The term "Chief Inspector" means an Inspector appointed to superintend the work of the other Inspectors in a certain division of England and Wales, or as Inspector of training colleges.

*Organising Teacher.*

5.\* An "Organising Teacher" means a certificated teacher, or other person approved by the Board, who either inspects schools and advises managers and teachers, or instructs or examines teachers in any special subjects or educational methods, or instructs or examines candidates for the office of pupil teacher.

The "inspector" and "chief inspector" referred to in the foregoing articles of the Code are H.M. Inspectors of Schools.

School boards have very largely followed the practice of appointing inspectors of their own. These inspectors perform the duties referred to under the head of Organising Teacher, in Art. 5,\* given above; and also carry out in the schools such details of school management as may be allotted to them. I append copy of the list of duties of such inspectors in Manchester:

## INSTRUCTIONS TO INSPECTORS OF BOARD SCHOOLS.

It shall be the duty of each inspector in his own division:

1. To carefully ensure the carrying out of the rules of the Board of Education and the regulations of the board in the schools.

2. Where necessary to direct principal teachers in the better organisation of their schools.

3. To see that the school staffs are efficiently maintained in accordance with the rules of the board, and that an adequate supply of pupil teachers is kept up in each school. The moving of assistant teachers from school to school to be as far as possible avoided. All appointments and changes in the schools to be first approved by the managers.

4. To examine once a year in religious knowledge, and to inspect periodically, not less than once in three months, each school department. At these inspections, organisation, method, and general work to be observed, and, at the discretion of the inspector, classes examined. Close supervision to be exercised with regard to the principal teachers' periodical examinations and their results. The papers and schedules marked and copy of tests applied to be forwarded to the inspector of the division. The schools in which there is any weakness of instruction to be reported to the school managers in the ninth month, and the inspectors, if so instructed, shall hold a special examination of such schools before the close of the year. Reports of these examinations and inspections, also an annual report on each department, to be submitted to the school managers. The clerk of the board to be supplied with the dates of the examinations, in advance, in order that the same may appear on the monthly



remembrancer for the information of the members of the board. Should further examinations be required they will be ordered by the school managers.

5. To check all class registers four times a year, and make the necessary entries in the log book.

6. To visit the schools during the times set apart for the instruction of the children in religious knowledge, and to ensure that the pupil teachers have practice in teaching.

7. To carefully check requisitions from the day schools for books, apparatus, and stationery; write off in the stock and stores book all stock past use; and cause unused stock to be returned to the stores.

8. To examine each year the pupil teachers of the board in religious and secular knowledge, and report thereon to the school managers.

9. To conduct annually an entrance examination for pupil teachers, and at such other times as may be found necessary.

10. To report the absence from duty of any teacher in the employ of the board.

11. To attend the Government examinations of the day schools.

12. To advise the clerk of any matter requiring attention in the schools, and to perform any other duty required by the school managers.

Each inspector shall keep a staff book for his division, showing the teachers of all grades employed in each school department, with their respective salaries, dates of appointment, qualifications, and the average number of children in attendance for the preceding year. The staff book shall be corrected where necessary, from week to week, and shall be laid before the school managers at each ordinary meeting.

Each inspector shall make a weekly return of his work for the information of the school managers. A similar return to be made by each inspector's assistant.

In order that the inspectors may spend as much time as possible in the schools, they shall be relieved from attendance at committee meetings, except when required by the managers, and from office work during school hours.

All reports and returns for the school managers shall be delivered by the inspectors to the clerk each Saturday; the instructions of the managers will be communicated to them by the clerk, and the inspectors shall act under his direction.

### Inspection of Schools.

On the discussion of Clause 7 (1) (b), on an amendment to insert after "school," "any member of that authority, or of the education committee, shall have the same liberty to enter and inspect the school as any manager,"

Sir Robert Finlay (Attorney-General) said "it was never intended that any individual member of the local education authority should

be allowed to roam into a school and inspect it at his own pleasure. The local education authority might make provision for inspection, but would it be contended that it was advisable that every member of that body should have the right of inspection?"

During the same debate Mr. Balfour said "the education authority, under the Bill as it stood, would be perfectly empowered to enter any school in its area, but that was quite different to laying down a statutory provision to the effect that any member of a county council should enter any school in the county irrespective of the wishes of the council itself." . . . "The local education authority could give power to their members to enter any school in their area."—Commons, 23rd October, 1902.

### **Institutions, Schools Attached to.**

Sec. 15.—The local education authority may maintain as a public elementary school under the provisions of this Act, but shall not be required so to maintain, any marine school, or any school which is part of, or is held in the premises of, any institution in which children are boarded, but their refusal to maintain such a school shall not render the school incapable of receiving a Parliamentary grant, nor shall the school, if not so maintained, be subject to the provisions of this Act as to the appointment of managers, or as to control by the local education authority.—(Act of 1902.)

On the introduction of a new clause (Clause 15), Sir W. Anson said that "the clause related to a class of school which ought not to be ignored or left out of the Bill, but which, on the other hand, ought not to be thrown on the local authority unless the local authority were prepared to adopt them. Some were marine schools, five in number, which had been taken over for the children of parents connected with the Admiralty in various ways, and which had hitherto received the Parliamentary grant. The other classes of schools were orphanages and institutes in which, in certain large towns, waifs and strays were collected together in one building and were looked after by charitable persons. These schools had for many years received a Parliamentary grant: they were useful for charitable purposes, and it was proposed that while they fulfilled the condition of public elementary schools they should continue to receive the Parliamentary grant, unless they were taken over by the local authority. It was not fair, however, to the local authority that children should be collected from various parts of the United Kingdom and thrown on the rates of a particular local area. Therefore, the clause proposed that these schools should be recognised as proper recipients of a Parliamentary grant, and that the local authority should have the option of taking them over if they so pleased."—(Commons, 20th November, 1902.)

### **Interpretation of Expressions contained in the Education Acts, 1870 to 1902.**

Sec. 24.—(1) Unless the context otherwise requires, any expression to which a special meaning is attached in the Elementary Education Acts, 1870 to 1900, shall have the same meaning in this Act.

(2) In this Act the expression "minor local authority" means as respects any school the council of any borough or urban district, or the parish council or (where there is no parish council) the parish meeting of any parish, which appears to the county council to be served by the school. Where the school appears to the county council to serve the area of more than one minor local authority the county council shall make such provision as they think proper for joint appointment of managers by the authorities concerned.

(3) In this Act, the expressions "powers," "duties," "property," and "liabilities" shall, unless the context otherwise requires, have the same meanings as in the Local Government Act, 1888.

(4) In this Act the expression "college" includes any educational institution, whether residential or not.

(5) In this Act, unless the context otherwise requires, the expression "trust deed" includes any instrument regulating the trusts or management of a school or college.—Act of 1902.

On the discussion of Clause 24, and the addition of sub-section (4), proposed by the Government, a question was asked as to whether the term "educational institution" would include hostels where no lectures were given, but where students lived, and which were affiliated to some other institution to which the students went by day for the purpose of lectures. In Clause 4 there was a certain ambiguity. "Hostels" were included in some cases, and left out in others.

Sir Robert Finlay said "a hostel, which was simply a boarding house, would not be included. If it was affiliated to another institution, no question would arise, because then it would be part of a whole, and would be an educational institution; but it would not, by itself, be an educational institution."

Sir William Anson said "it was clear that the local authority would be able to assist a theological college. He did not see why the local authority should be forbidden to assist one sort of college more than any other sort of college."—Commons, 14th November, 1902.

**Jewish Schools.**—Jewish inhabitants are found in considerable numbers in London, Hull, Leeds, Manchester, and Liverpool, and in these towns they have their own special day schools. Some of them are board schools and some are voluntary schools. In Manchester there is one large board school entirely devoted to Jewish children, and another board school is rapidly becoming a school of the same kind. In these schools provision is made for the teaching of Hebrew by Jewish teachers. School work ceases early on Friday afternoon for the observance of the Jewish Sabbath, seeing that the ordinary school hours would, during the winter months, clash with the religious duties of the children, and in the school wholly attended by Jews the general holidays are made to fit in with the great Jewish holidays and days of religious observance. When Jews attend the ordinary board schools due allowance should be made, in connection with prize schemes, for the times when the children, owing to the obligations of their religion, cannot attend school.

**Kindergarten Instruction.** This forms an important part of the curriculum of every good infants' school. It is the practice of many school boards to encourage (by additions to the scale of

salary) their teachers of infants' schools to obtain the certificates of the Froebel Union, an examining body in London of recognised position. There are many so-called Kindergarten certificates of little value. Those granted by the Froebel Union are beyond reproach, and betoken a real amount of study and practical experience of Kindergarten work suitable for the infants' departments of public elementary schools, on the part of the teachers who succeed in passing the examination of the Union.

**King's Scholarships.**—The King's scholarship examination is the final examination of a pupil teacher. Success is a qualification for recognition as assistant and other teachers (Articles 50 and 52 of the Day School Code), and it also constitutes the entrance examination to the training colleges. The examination is held each year in the month of December, at the training colleges, and also at centres in the principal towns.

The results of the 1901 examination were issued in March, 1902.

Whilst the number of candidates declined, there appears to have been a general increase in severity in the marking of the papers, with the result of a considerable reduction in the percentage of first classes, the percentages obtained by all the important centres showing a considerable decline. The percentage of first classes in 1900 was 19·7 compared with only 14·1 for the examination held in December, 1901.

The following is a return for three years :

#### NUMBER OF CANDIDATES AND SUCCESSES AT THE EXAMINATIONS.

##### MEN.

|            | Presented. | Passed.    |            |            |        | Failed. |
|------------|------------|------------|------------|------------|--------|---------|
|            |            | 1st Class. | 2nd Class. | 3rd Class. | Total. |         |
| 1899 ..... | 2,904      | 532        | 897        | 1,127      | 2,556  | 348     |
| 1900 ..... | 2,602      | 458        | 889        | 1,000      | 2,347  | 255     |
| 1901 ..... | 2,487      | 284        | 1,053      | 907        | 2,244  | 243     |

##### WOMEN.

|            |       |       |       |       |       |       |
|------------|-------|-------|-------|-------|-------|-------|
| 1899 ..... | 9,216 | 2,069 | 2,919 | 2,583 | 7,571 | 1,645 |
| 1900 ..... | 8,220 | 1,672 | 2,961 | 2,907 | 7,540 | 680   |
| 1901 ..... | 8,241 | 1,234 | 3,275 | 3,011 | 7,520 | 721   |



## PERCENTAGES OF PASSES.

|             | Year. | 1st Class. | 2nd Class. | 3rd Class. | Failed. |
|-------------|-------|------------|------------|------------|---------|
| Men .....   | 1900  | 18         | 34         | 38         | 10      |
|             | 1901  | 11         | 42         | 37         | 10      |
| Women ..... | 1900  | 20         | 36         | 35         | 9       |
|             | 1901  | 15         | 39         | 37         | 9       |

The new scheme of classification does not seem to have given satisfaction. The object of the divisions is not very clear to understand.

The great need of additional training college accommodation is again apparent, even with a diminished number of candidates. It is most noticeable in the case of women. There are 1,234 in the first class, and 3,275 in the second. Taking the total number of women in the first and second classes (4,509) as having proved their fitness for college training, and deducting the 1,932 who do not wish to go forward, we have 2,577 requiring such accommodation; whilst there were last year only vacancies for 1,600 (including 300 places in day colleges); hence the number of women not able to enter college this year is 977 of those in the first and second classes. Certainly 2,000 additional college places are needed for women, seeing that the course of training lasts for at least two years. Of the men, on the same method of calculation, places are needed for 237 who cannot find places this year, or increased accommodation for 474 to meet present needs.

**Laboratories: Chemical and Physical** — Laboratories, whether used in connection with higher elementary schools, training colleges, or secondary schools A (formerly known as schools of science), must in their fittings and general arrangement be approved by the Board of Education.

In connection with laboratories there is always the danger of over-elaboration in the character of the fittings. The simpler the benches, etc., the better. The shelves above the benches should not be high, and should not interfere with the teacher's view of the students. The basins should be of good Doulton or similar pottery ware. For benches nothing is better than pitch pine for the bodies, teak tops being advisable for chemistry benches.

For *Practical Inorganic Chemistry* the following rules of the Board of Education apply:—

The laboratory must be properly fitted and equipped and meet all sanitary requirements, and will be expected to comply generally with the following conditions. Each student should have a working space of at least 3 ft. 6 in. by 2 ft. 3 in. on the



bench-table. Shelves for reagents, etc., should be fitted above, and drawers and cupboards for apparatus, etc., below the table. Gas should be laid on to each student's bench, and there should be a water tap with an earthenware or lead-lined sink for every two students, if possible. Closets should be provided for evaporation of substances evolving noxious fumes and for sulphuretted hydrogen work. These closets should be ventilated by flues carried up in the wall of the building, so as to ensure the extraction of the fumes. Niches with flues should also be provided for combustion furnaces.

"The laboratory and apparatus must be kept clean, tidy, and in good order—failing which payments may be reduced or withheld. It must be set apart entirely for the study of Practical Chemistry; it may not be used as a class-room for any other subjects.

"Each bench must be furnished with sufficient apparatus and be always kept in good working order."—"Supplementary Regulations for Secondary Day Schools and for Evening Schools," 1902, page 109.

A raised demonstration table, fitted with gas and water, with good blackboard on the wall, should be provided for the teacher at the end of the room.

Store room and room for balances should communicate with the chemical laboratory.

*For Physics.*—Substantial tables, of varying lengths, fitted with gas supply. A demonstration table for the teacher (properly fitted with gas, water, and a sink), and blackboard at back, with blackboard on wall of teak, are necessary. The room should have a working bench along one side, with fixed slate top and ample cupboard provision.

The following are particulars of the general laboratories at the Manchester Central Schools:—

Laboratory (Chemistry).—Fitted with benches for 40 students.—Entire cost of fittings, £368; benches alone, per place £4 5s.

Laboratory (Physics).—Fitted with table space for 40 students.—Entire cost of all fittings, £196.

**Labour Certificate Examinations.**—Since the abolition of individual examinations by H.M. Inspectors in public elementary schools it has been found necessary to institute special examinations at which children may be presented in order to qualify for exemption under the local school bye-laws, etc. These are known as Labour Certificate Examinations, and by arrangement between H.M. Inspectors and the local authority are held periodically. These examinations have taken the place generally of the somewhat cumbrous arrangement provided by Art. 30 of

the Code, collective examinations being preferable to the presentation of candidates for labour certificates at different schools.

The following conditions of Art. 30 of the Day School Code apply to these labour certificate examinations:—

**30. *Certificates of Proficiency.***—At any visit of an inspector to a public elementary school the managers are required to present for examination, and the inspector to examine for a certificate of proficiency, any child over 12 years of age, or, if the child is to be employed in agriculture under any bye-law made under section 1 of the Elementary Education (School Attendance) Act, 1893, Amendment Act, 1899, over 11 years of age, whether a scholar in the school or not, if the child's parent or guardian, or the local authority, apply for the child to be examined for such a certificate; but the inspector is at liberty to refuse to examine any child for whose examination due provision is made elsewhere, or any child who has not been instructed for at least six months in the standard in which he is presented, or who has failed in that standard at an examination held in the previous three months.

Certificates of proficiency are certificates of having reached any standard prescribed by the Code. To "reach a standard" a child must be individually examined in reading, writing, and arithmetic in that or a higher standard, and must pass in each of those subjects.

**Lancasterian Schools.**—These schools, of which a number were erected in different parts of the county at the beginning of the nineteenth century, are named after Joseph Lancaster, one of the great pioneers of elementary education. The schools are known as Royal Lancasterian Schools, as they enjoyed the patronage of King George the Third, who expressed the earnest desire that every boy in his dominions should be able to read the Bible.

**Laundry Work.** The lessons are expected to include instruction in:—

- (a) Washing of linen, woollen, cotton prints, muslins and laces; (b) starching and stiffening processes; (c) methods of drying and hanging out of clothes; (d) ironing and goffering; (e) cleansing of tubs, copper, irons, etc.

Simple explanations should be given on:—

- (a) Hard and soft water; (b) use of alkalies in washing; (c) different kinds of soap.—Revised Instructions, Appendix 5.

Each girl must attend at least 20 hours in year (not more than eight in one week or four in one day); not less than 10 hours working with her own hands.

"Grants of 2s. for laundry work have been paid during the past year on account of 27,875 girls in 693 departments. The figures in 1897 were 22,623 and 561 respectively; in 1898, 22,616 and 593; in 1899, 25,613 and 647; and in 1900, 26,625 and 707."—Report, 1901-2, page 21.

See Domestic Subjects, page 71.

A laundry for 20 girls working at one time, fitted with wash bowls, wringer, movable ironing tables, etc., and children's desks, may be amply provided for at an entire cost of fittings of £63.

**Law of School Attendance.**—Summary taken from the Annual Report of the Board of Education, 1901:—

1. If the bye-laws contain a special provision to this effect, children may be employed in agriculture at the age of eleven, provided that they attend school 250 times a year up to the age of thirteen.

2. With this exception no child subject to the bye-laws can obtain either partial or total exemption under the age of twelve.

3. A child between twelve and thirteen, or (if the bye-laws are extended) between twelve and fourteen, can only obtain total or partial exemption on the conditions prescribed by the bye-laws.

4. In districts where the bye-laws are still restricted to children of thirteen years of age, a child between thirteen and fourteen can obtain total exemption either on passing the fourth standard, or on making 350 previous attendances after five years of age in not more than two schools during each year for five years.

5. A child between twelve and fourteen may claim partial exemption on making 300 previous attendances, but in the view of the board this exemption can only be claimed in cases where the bye-laws themselves contain a provision for partial exemption.

**Leaving Certificates.** A final examination for pupils in public elementary schools is needed. Such an examination marks the transition from elementary to higher education. To meet this need, the Scotch Code provides an Examination for Merit Certificates, described in the following memorandum:—

MEMORANDUM AS TO EXAMINATION FOR MERIT CERTIFICATES.  
Appendix No. 4 of the Scotch Code.

The requirements for the Merit Certificate are stated in Article 29 of the Code, but having regard to the importance their Lordships attach to the certificate as marking in a fairly definite way the dividing line between primary and secondary education, they think it right to state briefly some of the considerations by which Her Majesty's Inspectors will be guided in conducting the examinations. Stress will be laid in the first place on

thorough proficiency in the elementary subjects, but the examination will be a test not merely of the possession of knowledge, but to some extent of the power of applying it to practical purposes. It follows that the method of examination will be largely oral.

As regards the particular subjects:

1. Ability to read, speak, write, and understand the English language:—

(a) The candidates will be expected to read at sight a passage from a modern author, a periodical, or a newspaper, not containing many abstruse or philosophical terms, and involving no great complexity of ideas. The passage should be read with good pronunciation and correct phrasing, and in such a way as to be easily intelligible to a listener. A silent perusal may be allowed in the first place.

(b) The candidate should be able to give an intelligible account in his own words of the substance of the passage read, both orally and in writing. Their Lordships would lay some stress on the *oral reproduction*, in fairly correct and connected sentences, of the passage read, inasmuch as they have reason to believe that the cultivation of a power of intelligible speech receives too little attention in schools. In the written reproduction orderly arrangement of ideas and greater correctness of sentence formation will be expected. In this exercise perfectly legible and fairly regular handwriting, as well as a reasonable freedom from errors of spelling, will be indispensable requirements. The description of an object, or arrangement of objects, the writing of a letter for some definite purpose in proper form, the reproduction of a lesson given by the teacher, the summarising of a chapter of a history book which the pupils have been set to read, may be admitted as alternative exercises, but the essay or theme on abstract subjects, as to which the pupils may have no ideas of their own, is to be avoided.

(c) The candidates will be expected to show in answer to questions that they fully understand the connection, direct and indirect, of the clauses, phrases, and sentences in the passage read, and that they have some appreciation of the various shades of meaning conveyed by related words. For this purpose my Lords believe that some study of the derivation of words and some knowledge of parsing and analysis of sentences will be found very useful, but they wish those subjects to be judged of by their results—*i.e.*, by the greater capacity which they give for understanding the full meaning of a sentence of English, rather than by the mere knowledge of the formulæ of grammar.



2. Ability to perform arithmetical calculations. Readiness in the mental calculation of prices, in the reduction of one denomination of weights and measures to another, in the calculation of percentages, and in simple applications of the rule of three to questions of interest and profit and loss will be expected. Simple problems which test knowledge of principles will be set rather than questions which involve intricate working.

3. The two foregoing heads comprise the essential parts of the examinations, in which nothing less than thorough proficiency will be expected. But the programme of every good elementary school provides for instruction in a much wider range of subjects, commonly known as class subjects. Such subjects as geography, history, nature knowledge (including object lessons): drawing, simple exercises of hand and eye, and needlework. In every good school, also, it may be expected that some attention will be given to music, and to suitable physical exercises. My Lords do not propose to test the attainments of pupils at the Merit Certificate stage in these subjects individually. It will be the duty of the inspector in every school from which candidates for the Merit Certificate are presented, to satisfy himself that the curriculum in class-subjects is of sufficient breadth, that it affords adequate exercise for the various faculties of the children, and that instruction in the subjects selected is regularly and systematically given to all the pupils. Their Lordships are inclined to think that any attempt to secure enhanced efficiency in the essential subjects of the Merit Certificate by confining the attention of the pupils to those subjects, and depriving them of the stimulus which reasonable breadth of instruction in class subjects affords, would defeat its own ends; but in any case they will *altogether refuse* to issue Merit Certificates on account of the scholars in any school in which the inspector reports that the class instruction is unduly restricted in scope or defective in quality, or where there is evidence to show that the candidates for the Merit Certificate have not regularly participated in this part of the instruction. For the purpose of arriving at an opinion on this point, the inspector will hold a collective examination of the candidates in such of the above subjects as may be professed in the school (except English, in which the examination of the character described above will be strictly individual). Should any candidate in this collective examination show conspicuous weakness, he may, on further individual examination, be refused the Merit Certificate.

Whatever other subjects may be embraced in the curriculum of class instruction, candidates for the Merit Certificate should have a good *general* knowledge of the geography of the world, and of the geography of the British Isles, the Colonies, and Europe in some detail. They should also be able, if set to the study of a good map of a country or district previously unknown, to find



out and report the principal particulars of the information to be gleaned from it. In history they should have a fair acquaintance with the events which form landmarks in English and Scottish history, and know their chronological sequence. They should also be able to explain geographical references and historical allusions in the passage selected for reading, if these are not of a recondite kind.

The certificate issued to successful candidates will certify that they have shown thorough proficiency in the elementary subjects, and that they have completed the course of elementary education in a school the curriculum of which embraces instruction in certain specified subjects."

Leaving Certificate Examinations for Secondary Schools are also a necessity, success at the examination to be recognised by examining bodies charged with entrance examinations for professional training, etc.

**Libraries : School.**—The Annual Report of the Education Department for 1880 contains the earliest record of the number of libraries carried on in elementary schools under inspection. The number was then 2,092. School libraries have gone on increasing in number, and the last Report of the Board of Education states that in 1901 school libraries have been established in 8,272 schools. These libraries have been supplied in various ways—sometimes by a direct grant of money from the school boards in the case of their own schools, more frequently by money raised by managers and teachers. In some towns the free libraries committees supply juvenile branch libraries in public elementary schools, open for the issue and exchange of books at stated intervals. In the Leeds board schools there are about 20 branches supplied by the municipal authorities. There are other towns where, owing to the ample supply of free libraries and the special provision made for meeting the needs of juvenile readers, it has not been found necessary to establish libraries in the schools.

The cultivation of a taste for pure literature is most essential in all public elementary schools, and there is reason to know that much is being done by the teachers in this direction. From a pleasant account of an ordinary London board school, which appears in "The Work of the London School Board," a volume to which I have been already considerably indebted, I take the following:—

"We return once more to the hall of the boys' department, where there is a piece of furniture that has been overlooked. It is the library cupboard, wherein are seen about one hundred volumes waiting their turn for usefulness. The books which it contains can be borrowed and taken away by the scholar, and are exchanged at regular intervals. Many of their neighbours have gone for a holiday, and are spending it in one or other of the

older scholars' homes. 'Quentin Durward' is languishing after 'Waverley,' who is away; 'David Copperfield' is looking in vain for 'The Old Curiosity Shop'; 'Silas Marner' misses 'The Mill on the Floss'; 'Rienzi' and 'The Last Days of Pompeii' are supporting each other in their weariness of waiting, and Tennyson is not pleased in his loneliness. Most of them display garments that are the worse for wear, and some are so shabbily attired that the tailor's art must be practised on them before they will be permitted to have their week's or fortnight's change."

### Loans.

#### *Borrowing.*

Sec. 19.—(1) A council may borrow for the purposes of the Elementary Education Acts, 1870 to 1900, or this Act, in the case of a county council as for the purposes of the Local Government Act, 1888, and in the case of the council of a county borough, borough, or urban district as for the purposes of the Public Health Acts, but the money borrowed by a county borough, borough, or urban district council shall be borrowed on the security of the fund or rate out of which the expenses of the council under this Act are payable.

(2) Money borrowed under this Act shall not be reckoned as part of the total debt of a county for the purposes of section sixty-nine of the Local Government Act, 1888, or as part of the debt of a county borough, borough, or urban district for the purpose of the limitation on borrowing under sub-sections two and three of section two hundred and thirty-four of the Public Health Act, 1875.—(Act of 1902.)

NOTE.—In counties the period for repayment of loans is 30 years, and in boroughs, etc., 60 years.

The consent of the Local Government Board is required for raising all loans, except for industrial schools, in which case the Home Secretary's approval is necessary. (Sec 15, Act of 1876.) The Local Government Board will hold their usual local inquiry, but the effect of sub-section (2) is that it will not be necessary to produce to the inspector evidence of the rateable value of the district, or for objection to be raised on the ground that the borrowing powers of the council have been exhausted.

The Local Government Board require evidence of the proper application of the loan after the work for which the loan has been granted has been completed.

The cost of the interest on, and the repayment of loans, is a most important factor in local finance. The amount of the provision of schools necessary for the requirements of a district bears no kind of fixed ratio to the rateable value. Many authorities know from painful experience how small an amount a penny on the rates yields on the rateable value of their districts, and it frequently happens that the poorest localities are those which are called upon to make the largest provision of school accommodation. The same is true also of other departments of local administration. Local rates are becoming so high in many places that remedies, more or less possible, are being loudly demanded, and it will soon be a matter for statesmen to seriously

consider how it is possible to relieve the burdens of local taxation. One direction in which something could be done would be the provision of means by which money at the lowest possible rates of interest may be provided for the loans required by the school authorities.

There are many inequalities in the price at which towns can obtain money for municipal purposes, London, Liverpool, and Manchester, for example, being able to get loans at lower rates of interest than smaller towns; consequently the ratepayers of the larger towns have less to pay than their smaller neighbours for the obligations which the Legislature has cast upon all alike.

The total amount of loans raised by school boards in England and Wales (1870-1901) is £42,336,803, and the amount of unpaid principal on the 29th September, 1901, was £32,206,781. The total amount of expenditure of all kinds by these school boards was, for the year ended 29th September, 1901, £12,848,526. Of this, there went for repayment of instalments of loans £835,509, and for interest £1,045,568, a total of £1,881,077. This is equal to nearly 15 per cent of the whole expenditure (£12,848,526), or 29 per cent of the total amount of the school board rates (£6,335,828). The time of repayment of school board loans is, as a rule, 50 years—the exception being those boards who borrow for 30 years, and those where, as in the cases of iron buildings and works of a less permanent character than the ordinary schools, the loans are only granted for shorter periods. The main causes of loan expenditure on the part of the boards is, of course, the provision of school accommodation. Some boards have built industrial schools and special schools for blind, deaf, or feeble-minded children, whilst in a few cases there have been contributions made by boards out of loans towards the erection of industrial schools by voluntary bodies, who, under special arrangements, have set apart accommodation in their schools for the use of the boards so contributing. In addition, some boards have built offices.

In the obtaining of loans, it may be said that the school boards have had choice of three methods of raising money:—

- (a) By direct borrowing in the open market by way of mortgages issued by the board for short periods, all such mortgages being repayable within the period covered by the consent of the Education Department, or Home Office, in the case of loans for industrial schools, the amounts of these mortgages going to make up the total loan required;
- (b) By arrangement with an insurance company, corporation, or some other public body, such as the Ecclesiastical Commissioners, by which the whole loan is advanced in one sum at a given rate of interest and on a stated method of repayment of principal, either by equal

annual instalments or by an annuity covering both principal and interest;

- (c) By loans from the Public Works Loan Commissioners—repayable in periods not exceeding 50 years, at rates of interest varying from  $3\frac{1}{4}$  to  $3\frac{3}{4}$  per cent per annum—the rate of interest rising with the extension of the period beyond 30 years.

The borrowing powers of the county councils under the Local Government Act, 1888, are restricted to 30 years, and those of the boroughs, etc., under the Public Health Acts, extended to 60 years.

The present rates of interest charged by the Public Works Loan Commissioners are comparatively high for loans beyond the 30 years period of repayment, and undoubtedly have been fixed with the view of recouping the commissioners for certain bad debts made in the past—*i.e.*, the boards are paying for certain public bodies who have not been able to redeem their loans. This was the main cause which maintained even the higher rate of interest charged prior to 1896, when a declining demand for loans from the commissioners, coupled with certain representations made to the Chancellor of the Exchequer, caused the commissioners to reduce their rate of interest for new loans. The higher rates were maintained for loans previously obtained, and boards were practically refused the privilege of repaying loans granted at these high rates by money raised by new loans to be obtained in the open market.

The 50 years limit should be granted without advance in the rate of interest, and 3 per cent is an ample rate to charge for the use of the money, and provide an ample margin for the office expenses of the commissioners. By the present system a board which is obliged to spread the repayment of loans over a period of 50 years is penalised by reason of its very necessity. The following figures illustrate this very fully. The calculation shows what a board has to pay in interest for a loan repayable in 30 years, compared with the like payment for a loan of 50 years, calculated both on the plan of the equal half-yearly instalment of principal with interest on outstanding balance, and also separately on the annuity system of repayment. It will be seen by the figures that the latter system, although it has advantages, is, on the whole, a more costly one for the borrower.\*

\* In deciding, therefore, as to which of these methods is appropriate to any particular case, regard should be had to the nature of the work to be executed with the loan, the benefit to be derived from it, and the district or security to be charged with the repayment. In the first case, the burden of repayment is comparatively heavy in the earlier periods of the loan, and decreases from year to year. Assuming, therefore, that an appropriate period has been prescribed for repayment, the distribution of the burden would be to some extent in proportion to the benefits which the ratepayers from time to time might be expected to derive from works subject



Statement A, showing the repayment of a loan of £10,000 with interest at  $2\frac{3}{4}$  per cent in 30 years, and at  $3\frac{1}{4}$  per cent in 50 years, by equal half-yearly instalments of principal, with interest on the balance owing.

|   | 30 years at<br>$2\frac{3}{4}$ per cent. | 50 years at<br>$3\frac{1}{4}$ per cent. |
|---|---|---|
| Half-yearly payment on account<br>of principal .....      | £166 13 4                               | £100 0 0                                |
| First half-yearly payment on<br>account of interest ..... | †137 10 0                               | ‡162 10 0                               |
| Total amount paid during the<br>period .....              | £14,193 15 0                            | £18,206 5 0                             |

The first half-yearly payment for the loan of 50 years is less by £41 13s. 4d than the loan of 30 years, but the total amount paid in interest in the longer period is £8,206 5s., as against £4,193 15s. for the shorter period.

Statement B, showing the repayment of a loan of £10,000 with interest at  $2\frac{3}{4}$  per cent in 30 years, and at  $3\frac{1}{4}$  per cent in 50 years by half-yearly payments by way of annuity.

|  | 30 years at<br>$2\frac{3}{4}$ per cent. | 50 years at<br>$3\frac{1}{4}$ per cent. |
|--|---|---|
| Half-yearly payment, including<br>interest ..... | £245 16 8                               | £203 0 5                                |
| Total amount paid during the<br>period .....     | £14,750 0 0                             | £20,302 1 8                             |

Although the half-yearly payment in the case of a loan for 50 years is £42 16s. 3d. less than a 30 years' loan, the total amount paid in interest is £10,302 1s. 8d. for the longer period, as compared with £4,750 for the shorter period.

The Treasury has recently advanced the rate of interest for loans from the Public Works Loan Commissioners by one-half per cent, but this does not affect my argument. The rates now are: Loans for 30 years, interest  $3\frac{1}{4}$  per cent per annum: 40 years,  $3\frac{1}{2}$  per cent; and 50 years,  $3\frac{3}{4}$  per cent.

to a relatively rapid deterioration. The effect of the second method is to distribute the repayment in equal proportion upon the rates throughout the period sanctioned. This is an arrangement which is always very attractive at the time of borrowing, and indeed there is much to be said in its favour where the loan is applied in executing works of a comparatively durable character. It should not be forgotten, however, that for the relief which is thus afforded in the earlier periods of the loan, a price has to be paid in the shape of additional interest. Moreover, no relaxation from the burden of repayment takes place throughout the whole of the period, and this burden may often act as a hindrance to other useful works being undertaken. The simplicity of the instalment method may also be urged in its favour, the periodical payments of principal and interest being quite easy of calculation.—Archer's "Tables for Repayment of Loans." Shaw and Sons, London. Pages 51 and 52.

† This amount decreases each succeeding half-year by £2 5s. 10d.

‡ This amount decreases each succeeding half-year by £1 12s. 6d.



The following calculation shows the annual amount, per £100 borrowed, to repay the same (by way of annuity, including principal and interest) in 30 to 50 years, at  $2\frac{1}{2}$ ,  $2\frac{3}{4}$ , 3, or  $3\frac{1}{4}$  per cent annual interest.

| Period of Loan. | Annual Repayments at |                      |                      |                     |
|-----------------|----------------------|----------------------|----------------------|---------------------|
|                 | $2\frac{1}{2}$       | $2\frac{3}{4}$       | 3                    | $3\frac{1}{4}$      |
| 30 years .....  | 4 15 6 $\frac{3}{4}$ | 4 18 9 $\frac{1}{4}$ | 5 2 0 $\frac{1}{2}$  | 5 5 4 $\frac{1}{4}$ |
| 50 years .....  | 3 10 6 $\frac{1}{4}$ | 3 14 1               | 3 17 8 $\frac{3}{4}$ | 4 1 5 $\frac{1}{2}$ |

The Board of Education, in their report for 1901-2, state: "The school boards have availed themselves freely of the power of borrowing, on the security of the rates, given by the Acts of 1870, 1873, 1876, and 1893. Up to the 1st of April, 1902, we had sanctioned 15,598 loans, amounting to £43,910,230 11s. 3d. (£25,578,849 6s. 1d. from the Public Works Loan Commissioners, and £18,331,381 5s. 2d. from the London County Council and in the open market), to 2,268 school boards, by means of which new accommodation has been or is being furnished for 2,882,239 scholars. The estimated cost per child is thus about £15 4s. 8 $\frac{1}{4}$ d.; but the amount of the loan applied for is generally somewhat in excess of the sum eventually spent. We had also sanctioned loans, amounting to £142,130 9s., to 10 school boards for providing accommodation for 744 blind and deaf scholars, and also £56,106 10s. to 6 school boards for providing accommodation for 670 defective children. The figures for the past year show an increase of £109,539 10s. 6d. in the amount of loans sanctioned over the amount sanctioned in the preceding year. The following table shows the amount of loans sanctioned by the Department for each year since 1890:—"

| Year.          | Amount of Loans. |    |    |
|----------------|------------------|----|----|
|                | £                | s. | d. |
| 1891-92.....   | 1,343,301        | 13 | 2  |
| 1892-93.....   | 1,315,365        | 9  | 1  |
| 1893-94.....   | 1,939,318        | 19 | 10 |
| 1894-95.....   | 2,530,797        | 14 | 8  |
| 1895-96.....   | 2,213,436        | 12 | 5  |
| 1896-97.....   | 1,636,922        | 0  | 0  |
| 1897-98.....   | 1,680,732        | 10 | 10 |
| 1898-99.....   | 2,065,728        | 13 | 7  |
| 1899-1900..... | 2,336,376        | 18 | 6  |
| 1900-1901..... | 2,207,284        | 15 | 0  |
| 1901-1902..... | 2,316,824        | 5  | 6  |

—Report, 1901-2, pages 14-15.

## Local Education Authorities.

Sec. 1.—For the purposes of this Act the council of every county and of every county borough shall be the local education authority:

Provided that the council of a borough with a population of over ten thousand, or of an urban district with a population of over twenty thousand, shall, as respects that borough or district, be the local education authority for the purpose of Part III. of this Act, and for that purpose as respects that borough or district, the expression "local education authority" means the council of that borough or district.—(Act of 1902.)

Sec. 5.—The local education authority shall, throughout their area, have the powers and duties of a school board and school attendance committee under the Elementary Education Acts, 1870-1900, and any other acts, including local acts; and shall also be responsible for and have the control of all secular instruction in public elementary schools not provided by them, and school boards and school attendance committees shall be abolished.

Sec. 23.—(3) The county councillors elected for an electoral division consisting wholly of a borough or urban district, whose council are a local education authority for the purpose of Part III. of this Act or of some part of such a borough or district, shall not vote in respect of any question arising before the county council which relates only to matters under Part III. of this Act.—(Act of 1902.)

Sec. 16.—If the local education authority fail to fulfil any of their duties under the Elementary Education Acts, 1870 to 1900, or this Act, or fail to provide such additional public school accommodation within the meaning of the Elementary Education Act, 1870, as is, in the opinion of the Board of Education, necessary in any part of their area, the Board of Education may, after holding a public inquiry, make such order as they think necessary or proper for the purpose of compelling the authority to fulfil their duty, and any such order may be enforced by mandamus.—(Act of 1902.)

The local education authorities are the council of every county and of every county borough.

|  |  |
|--|--|
| The council of a borough with over 10,000 population* .....    | } For purposes of elementary education, Part III. of the Act. (Section I.) |
| The council of an urban district over 20,000 population* ..... |  |
|  |  |

Councils of non-county boroughs and urban districts have powers, as well as county councils, to spend money (including not more than a penny rate) on the provision of education other than elementary. (Section 3.)

### *Control of Secular Education in all Public Elementary Schools.*

Mr. Balfour said: "Whether these schools are voluntary or whether they are rate-erected, in future the local education authority will be absolutely the master of the whole scheme of secular education in every elementary school in its district, voluntary or otherwise."—(Commons, 16th October, 1902.)

\* In these boroughs and districts there may be two authorities—(1) the county council, levying a rate of 2d. or less for higher education; and (2) the council of the borough or district controlling elementary education, and having the control of any higher education they may supply (the rate not to exceed 1d.). Such councils may, however, relinquish their powers to the county councils. (Sec. 20 (b).)

*Maintenance of Schools.*

The Attorney-General said "it was the duty of the local education authority to maintain all schools alike, and therefore any words forbidding discrimination were unnecessary."—(Commons, 17th October, 1902.)

*Appointment of Teachers: Staffing of Schools and Fixing of Salaries.*

During the same debate, replying to Mr. Bryce, who asked if it was to be understood that whenever a teacher had to be appointed the managers would have to go to the local authority and obtain sanction to fix the salary at a certain figure, or would the managers be able, before they consulted the local authority, to advertise for a teacher at a certain salary,

Mr. Balfour said that "according to his view the staffing of the schools and the payment of the teachers' salaries were all matters within the determination of the local authority." . . . . "It appeared to him that the determination of the staffs, and the salaries of the teachers in the various schools, was perhaps the most important subject with which the education authority would have to deal."—(Commons, 17th October, 1902.)

See also Education Committees, page 74; Mandamus, page 167; Teachers, page 269.

**Local Government Board.** This department of the Government controls the audit of the accounts of the local education authorities—(see Audit)—has power to remit surcharges made by district auditors, or sanction expenditure already incurred, under the terms of the Local Authorities (Expenses) Act, 1887. Other powers of the Local Government Board are:—

1. Approval or otherwise of proposal of county council (of administrative area) to exceed the rate of 2d. in the pound for higher education.—(Sec. 2 of Act of 1902.)
2. Approval of loans for erection of schools, etc.
3. Control of the expenditure of loans, and the adjustment of loans.

See Accounts, page 21; Audit, page 33; Loans, page 152.

**Log Books.**—Article 8 of the Code requires the managers to provide for each department of a school a diary or log book.

(33) The log-book must be stoutly bound and contain not less than 300 ruled pages. It must be kept by the principal teacher, who is required to enter in it, from time to time, such events as the introduction of new books, apparatus, or courses of instruction, any plan of lessons approved by the Inspector, the visits of managers, absence, illness, or failure of duty on the part of any of the school staff, or any special circumstance affecting the school that may, for the sake of future reference or for any other reason, deserve to be recorded. No reflections or opinions of a general character are to be entered in the log-book.—(Art. 8.)

(34) Entries in the log-book should be made by the head teacher at the end of each school week, and at such other times as occasion may require. No entries should be made by other persons except by

the correspondent at the close of the school year, by the managers who check the registers periodically, and by the Inspector.

(35) The log-book shall contain an explanation of the reason for the closing of the school on all occasions on which it is closed. It should also contain an account of all important variations in the attendance, and all deviations from the ordinary routine of the school.

(36) Log-books should be kept as a permanent record.—(Revised Instructions, 1902.)

H.M. Inspector's Annual Report must be entered in log book and signed by correspondent.

School staff must be entered as soon as the annual report is received. This will show what was the school staff at the beginning of the school year. Changes of staff must be entered.—(Article 72.)

**London School Board.**—The School Board for London is not affected by the Act of 1902, excepting that section 27 (3) extends to the 26th March, 1904, the power to carry on, with the approval of the county council, that instruction in day and evening schools declared by the Courts to be outside the powers of the school board.

**Maintenance of Schools.**—So far as public elementary schools are concerned, it will be the duty of the local education authority to maintain all schools alike.—(See statement of Attorney-General, Commons, 17th October, 1902.)

The following remarks on the cost of maintenance of public elementary schools are taken from the Report of the Board of Education (1901-2):—

“The cost of ‘maintenance’ has again risen both in board and in voluntary schools. For the year 1901 it was in board schools £3 0s. 2d. per child in average attendance, an increase of 2s. 6½d. for the year: and in voluntary schools, £2 6s. 8½d., an increase of 4d. The increase in the previous year had been 2s. 0½d. in board schools, and 1s. 3¼d. in voluntary schools. In London the cost per child in average attendance in board schools has risen from £3 17s. 1½d. to £4 0s. 5½d., an increase of 3s. 3¾d. as compared with 1s. 4½d. in the preceding year.

“The total of the contributions from rates for ‘maintenance’ in board schools has risen in the year from £2,809,666 to £3,185,925, an increase of £376,259. This total is equivalent to a payment per child of £1 8s. 2d., showing an increase of 2s. 8d. for the year.

“The voluntary contributions have increased in the year from £801,202 to £834,123, or by £32,921. This represents a payment per child in average attendance in voluntary schools of 6s. 8d., an increase of 3¼d. for the year.”



## Management of Schools.

Sec. 6.—(1) All public elementary schools provided by the local education authority shall, where the local education authority are the council of a county, have a body of managers consisting of a number of managers not exceeding four appointed by that council, together with a number not exceeding two appointed by the minor local authority.

Where the local education authority are the council of a borough or urban district they may, if they think fit, appoint for any school provided by them a body of managers consisting of such number of managers as they may determine.

(2) All public elementary schools not provided by the local education authority shall, in place of the existing managers, have a body of managers consisting of a number of foundation managers not exceeding four appointed as provided by this Act, together with a number of managers, not exceeding two appointed—

- (a) Where the local education authority are the council of a county, one by that council and one by the minor local authority; and
- (b) Where the local education authority are the council of a borough or urban district, both by that authority.
- (3) Notwithstanding anything in this section—
  - (a) Schools may be grouped under one body of managers in manner provided by this Act; and
  - (b) Where the local education authority consider that the circumstances of any school require a larger body of managers than that provided under this section, that authority may increase the total number of managers, so, however, that the number of each class of managers is proportionately increased.—(Act of 1902.)

7.—(1) The local education authority shall maintain and keep efficient all public elementary schools within their area which are necessary, and have the control of all expenditure required for that purpose other than expenditure for which, under this Act, provision is to be made by the managers; but in the case of a school not provided by them, only so long as the following conditions and provisions are complied with:—

See Note 1.—Alteration of Non-provided Schools. Page 165.  
 See Note 2.—Control of Expenditure. Page 165.  
 See Note 3.—Managers. Page 165.

- (a) The managers of the school shall carry out any directions of the local education authority as to the secular instruction to be given in the school, including any directions with respect to the number and educational qualifications of the teachers to be employed for such instruction, and for the dismissal of any teacher on educational grounds, and if the managers fail to carry out any such directions the local education authority shall, in addition to their other powers, have the power themselves to carry out the direction in question as if they were the managers; but no direction given under this provision shall be such as to interfere with reasonable facilities for religious instruction during school hours;

See Note 4.—Failure of Managers, etc. Page 166.

- (b) The local education authority shall have power to inspect the school;



- (c) The consent of the local education authority shall be required to the appointment of teachers, but that consent shall not be withheld except on educational grounds; and the consent of the authority shall also be required to the dismissal of a teacher unless the dismissal be on grounds connected with the giving of religious instruction in the school;

- (d) The managers of the school shall provide the schoolhouse free of any charge, except for the teacher's dwelling-house (if any), to the local education authority for use as a public elementary school, and shall, out of funds provided by them, keep the schoolhouse in good repair, and make such alterations and improvements in the buildings as may be reasonably required by the local education authority: Provided that such damage as the local authority consider to be due to fair wear and tear in the use of any room in the schoolhouse for the purpose of a public elementary school shall be made good by the local education authority;

See Note 5.—Use of School. Page 166.

See Note 6.—Rent of Teacher's House. Page 166.

See Note 7.—Repairs. Page 166.

See Note 8.—Use of Furniture. Page 167.

- (e) The managers of the school shall, if the local education authority have no suitable accommodation in schools provided by them, allow that authority to use any room in the school out of school hours free of charge for any educational purpose, but this obligation shall not extend to more than three days in the week.

7.—(2) The managers of a school maintained but not provided by the local education authority, in respect of the use by them of the school furniture out of school hours, and the local education authority in respect of the use by them of any room in the schoolhouse out of school hours, shall be liable to make good any damage caused to the furniture or the room, as the case may be, by reason of that use (other than damage arising from fair wear and tear), and the managers shall take care that, after the use of a school in the schoolhouse by them, the room is left in a proper condition for school purposes.

See Note 9.—Expenses. Page 167.

(3) If any question arises under this section between the local education authority and the managers of a school not provided by the authority, that question shall be determined by the Board of Education.

See Note 10.—Disputes. Page 167.

(4) One of the conditions required to be fulfilled by an elementary school in order to obtain a Parliamentary grant shall be that it is maintained under and complies with the provisions of this section.

(5) In public elementary schools maintained but not provided by the local education authority assistant teachers and pupil teachers may be appointed if it is thought fit without reference to religious creed and denomination, and in any case in which there are more candidates for the post of pupil teacher than there are places to be filled, the appointment shall be made by the local education authority, and they shall determine the respective qualifications of the candidates by examination or otherwise.

(6) Religious instruction given in a public elementary school not provided by the local education authority shall, as regards its character, be in accordance with the provisions (if any) of the trust deed relating thereto, and shall be under the control of the managers.

Provided that nothing in this sub-section shall affect any provision in a trust deed for reference to the bishop or superior ecclesiastical or other denominational authority, so far as such provision gives to the bishop or authority the power of deciding whether the character of the religious instruction is or is not in accordance with the provisions of the trust deed.

(7) The managers of a school maintained but not provided by the local education authority shall have all powers of management required for the purpose of carrying out this Act, and shall (subject to the powers of the local education authority under this section) have the exclusive power of appointing and dismissing teachers.—(Act of 1902.)

#### *Foundation Managers.*

Sec. 11.—(1) The foundation managers of a school shall be managers appointed under the provisions of the trust deed of the school, but if it is shown to the satisfaction of the Board of Education that the provisions of the trust deed as to the appointment of managers are in any respect inconsistent with the provisions of this Act, or insufficient or inapplicable for the purpose, or that there is no such trust deed available, the Board of Education shall make an order under this section for the purpose of meeting the case.

(2) Any such order may be made on the application of the existing owners, trustees, or managers of the school, made within a period of three months after the passing of this Act, and after that period on the application of the local education authority or any other person interested in the management of the school, and any such order where it modifies the trust deed shall have effect as part of the trust deed, and where there is no trust deed shall have effect as if it were contained in a trust deed.

(3) Notice of any such application, together with a copy of the draft final order proposed to be made thereon, shall be given by the Board of Education to the local education authority and the existing owners, trustees, and managers, and any other persons who appear to the Board of Education to be interested, and the final order shall not be made until six weeks after notice has been so given.

(4) In making an order under this section with regard to any school the Board of Education shall have regard to the ownership of the school building, and to the principles on which the education given in the school has been conducted in the past.

(5) The Board of Education may, if they think that the circumstances of the case require it, make any interim order on any application under this section to have temporary effect until the final order is made.

(6) The body of managers appointed under this Act for a public elementary school not provided by the local education authority shall be the managers of that school both for the purposes of the Elementary Education Acts, 1870 to 1900, and this Act, and, so far as respects the management of the school as a public elementary school, for the purpose of the trust deed.

(7) Where the receipt by a school, or the trustees or managers of a school, of any endowment or other benefit is, at the time of the passing of this Act, dependent on any qualification of the managers, the qualification of the foundation managers only shall, in case of question, be regarded.

(8) The Board of Education may, on the application of the managers of the school, the local education authority, or any person appearing to them to be interested in the school, revoke, vary, or amend any order made under this section by an order made in a similar manner; but before making any such order the draft thereof

shall, as soon as may be, be laid before each House of Parliament, and if within thirty days, being days on which Parliament has sat, after the draft has been so laid before Parliament, either House resolves that the draft, or any part thereof, should not be proceeded with, no further proceedings shall be taken thereon, without prejudice to the making of any new draft order.

Sec. 12.—(1) The local education authority may group under one body of managers any public elementary schools provided by them, and may also, with the consent of the managers of the schools, group under one body of managers any such schools not so provided.

(2) The body of managers of grouped schools shall consist of such number and be appointed in such manner and proportion as, in the case of schools provided by the local education authority, may be determined by that authority, and in the case of schools not so provided may be agreed upon between the bodies of managers of the schools concerned and the local education authority, or in default of agreement may be determined by the Board of Education.

(3) Where the local education authority are the council of a county, they shall make provision for the due representation of minor local authorities on the bodies of managers of schools grouped under their direction.

(4) Any arrangement for grouping schools not provided by the local education authority shall, unless previously determined by consent of the parties concerned, remain in force for a period of three years.—(Act of 1902.)

#### *First Schedule B—Managers.*

*Proceedings, etc.*—(1) A body of managers may choose their chairman, except in cases where there is an ex-officio chairman, and regulate their quorum and proceedings in such manner as they think fit, subject, in the case of the managers of a school provided by the local education authority, to any directions of that authority.

Provided that the quorum shall not be less than three, or one-third of the whole number of managers, whichever is the greater.

(2) Every question at a meeting of a body of managers shall be determined by a majority of the votes of the managers present and voting on the question, and in case of an equal division of votes the chairman of the meeting shall have a second or casting vote.

(3) The proceedings of a body of managers shall not be invalidated by any vacancy in their number, or by any defect in the election, appointment, or qualification of any manager.

(4) The body of managers of a school provided by the local education authority shall deal with such matters relating to the management of the school, and subject to such conditions and restrictions as the local education authority determine.

(5) A manager of a school not provided by the local education authority, appointed by that authority or by the minor local authority, shall be removable by the authority by whom he is appointed, and any such manager may resign his office.

(6) The body of managers shall hold a meeting at least once in every three months.

(7) Any two managers may convene a meeting of the body of managers.

(8) The minutes of the proceedings of every body of managers shall be kept in a book provided for that purpose.

(9) A minute of the proceedings of a body of managers, signed at the same or the next ensuing meeting by a person describing himself as, or appearing to be, chairman of the meeting at which the minute is signed, shall be received in evidence without further proof.

(10) The minutes of a body of managers shall be open to inspection by the local education authority.

(11) Until the contrary is proved, a body of managers shall be deemed to be duly constituted, and to have power to deal with the matters referred to in their minutes.—(Act of 1902.)

The following regulations regarding managers are taken from the Day School Code:—

6.—The term “managers” includes all persons who have the management of any elementary school, whether the legal interest in the schoolhouse is or is not vested in them.

8. *Duties of Managers.*—The managers are held responsible by the Board for the conduct of their schools, for their maintenance in efficiency, and for the provision of all needful furniture, books, and apparatus, and in particular of—

- (a) Suitable registers;
- (b) A portfolio to contain official letters;
- (c) A diary or log-book;
- (d) A cash book;
- (e) The Code and Revised Instructions for each year;
- (f) A book for recording minutes of managers’ meetings.

The log-book must be stoutly bound and contain not less than 300 ruled pages. It must be kept by the principal teacher, who is required to enter in it from time to time such events as the introduction of new books, apparatus, or courses of instruction, any plan of lessons approved by the Inspector, the visits of managers, absence, illness, or failure of duty on the part of any of the school staff, or any special circumstances affecting the school, that may, for the sake of future reference or for any other reason, deserve to be recorded.

No reflections or opinions of a general character are to be entered in the log-book.

#### *Reports of Managers and Inspector.*

65. *Managers’ and Inspectors’ Reports.*—The managers are required to state in their annual return whether the conduct, character, and attention to duty of all teachers engaged in the school have been satisfactory: and the Inspector reports each year on the efficiency of all the teachers engaged in a school, and particularly on the efficient discharge of their duty towards the pupil teachers under them.

#### *Management (Sec. 6).*

It will be the duty of the local authority to appoint managers

- (a) In administrative counties: Four managers for each school provided by the council (sec. 6 (1)), and also one manager or more for each school not provided by them (sec. 6 (2) (a) and (3) (b)), in addition to the one appointed by the borough, district council, or minor authority.
- (b) In boroughs or urban districts: Such number of managers (if any) as they may determine (sec. 6 (1)) for provided schools, and also two managers for each school not provided by them. (Sec. 6 (2) (b).)

In the case of non-provided schools the management will consist of four foundation managers, appointed according to the trust deed, or in accordance with sec. 11, together with the two managers appointed to represent public interests.—(Sec. 6 (2).)



These managers control the religious instruction, and have the appointment of teachers.

Schools may be grouped under one body of managers in manner provided by the Act, but in case of non-provided schools only with consent of the managers (see sec. 12), which also fixes the proportion of managers of grouped schools, and provides that the arrangement may remain in force for a period of three years.

## NOTES.

### 1. *Alteration or Improvement of Non-provided School.*

On an amendment to add to Clause 7 (1) after "necessary" the words "and for which the buildings are structurally suitable." Mr. Balfour said "the local education authority would, in any case in which the structure of a school required alteration and improvement, inform the managers. The managers would either be able to carry out the instructions given to them or not. If they could not carry them out, the school would cease to be a voluntary school, the education authority would have to provide its school, and that school would be a publicly-provided school."—(Commons, 20th October, 1902.)

### 2. *Maintenance (Sec. 7) : Control of Expenditure.*

The Attorney-General said "there was not a single syllable in the whole Bill giving the managers any control whatever over expenditure."—(Commons, 20th October, 1902.)

### 3. *Managers—(a) Provided Schools ; (b) Non-provided Schools.*

Mr. Balfour said, regarding (a) provided schools: "As regards the managers of the board schools, we have left them practically as we found them, putting in the place of the school board the education authority; but the managers of the provided schools will bear the same relation to the education authority as the managers under the school boards. Very well, so much for the managers of the provided schools." Further, as to (b) non-provided schools: "Now I come to the other description of managers—the managers of the voluntary schools. Their powers which we found in existence we have not left unchanged by this Bill. On the contrary, we have excised from some of those powers certain very great responsibilities, and we have excised from further powers certain large fragments. We have left to them the appointment of teachers, as the House knows, because we regard that as essential to the denominational character of the school, which we mean to preserve."—(Commons, 22nd October, 1902.)



#### 4. *Failure of Managers to Carry Out Directions of Local Authority.*

Mr. Balfour said: "Supposing that the managers refused to teach anatomy; that the education authority sent down a man, and that the order was given to a particular schoolmaster that anatomy should be taught in such and such hours, on such and such days of the week. Of course, that order stood, and if the teacher refused to carry it out, he would at once be suspended by the education authority."—(Commons, 23rd October, 1902.)

Inspection of School by Local Education Authority. See Inspection, page 141.

Appointment and Dismissal of Teachers subject to the consent of the local education authority. See page 27.

Provision of Schoolhouse.—See School Provision, page 243, and Evening Schools, page 84.

#### 5. *Use of School.*

Provided free by managers, and managers shall make such alterations as local education authority may require.

#### 6. *Rent of Teacher's House.*

On the discussion of Clause 7 (1) (*d*), and a Government amendment to add after "the managers of the school" the words "shall provide the schoolhouse free of any charge, except for the teacher's dwelling-house, if any, to the local education authority for use as a public elementary school,"

Sir William Anson said "this would enable the managers to charge a rent for the use of the teacher's dwelling-house, and would also lay upon the managers the obligation of putting that dwelling, where there was one, at the disposal of the local education authority."

During the same debate, and replying to questions as to application of rent to be charged, and also as to application of endowments where existing,

Sir Robert Finlay said "if the amendment was carried, the rent would go to the managers' fund, and would be applicable to any object to which they could apply it within the terms of their trust. In regard to the question of endowments, that was a matter that would have to be dealt with separately." (See note under Endowment.) "The question how they should be divided between the managers and the education authority would depend largely on the original purpose for which they were given."—(Commons, 28th October, 1902.)

#### 7. *Repairs.*

Local authority is to bear cost of wear and tear during use as a public elementary school. The proportion shall be fixed by the local authority. See Note 9, next page; also Repairs, page 226.

*8. Use of Furniture in Non-provided School.*

Local education authority may use furniture provided by managers or trustees before appointed day. Second Schedule (14).

*9. Expenses of Managers—Non provided School.*

Sir W. Anson promised that "the Board of Education would send out to the local education authorities a memorandum as to a reasonable standard of sanitation, cleansing, lighting, fuel, etc." (Commons, 29th October, 1902.)

*10. Disputes with Managers.*

On a discussion of Clause 7 (sub-section 3), as to settlement by Board of Education of disputes arising between managers and local authorities,

Mr. Balfour said "the Education Department would have no power to reconsider the decision of the education authorities in the matter of secular education." . . . . "All that the Bill laid down was the common-sense proposition that if there was a divided jurisdiction there must be some one other than the two powers who should decide the point in dispute." . . . . "Of course there is divided jurisdiction. Have we ever denied that as regards religious education the local authority are not supreme? . . . . To that extent there is a divided jurisdiction, because there are two boards of education, religious and secular."—(Commons, 21st October, 1902.)

Religious Instruction. See page 221.

**Mandamus.**—The writ of mandamus is given by Blackstone in his "Commentaries" as "a command issuing in the King's name from the Court of King's Bench, and directed to any person, corporation, or inferior Court of Judicature within the King's dominions, requiring them to do some particular thing therein specified which appertains to their office and duty, and which the Court of King's Bench has previously determined, or at least supposes, to be consonant to right and justice."—Vol. III., page 110.

**Manual Instruction: Wood and Metal Work.**

The Day School Code (Schedule II.) provides—

1.—The instruction must—

(a) Be, as a rule, carried on continuously throughout the school year for two hours weekly;\*

\* The "two hours" may include half an hour weekly for the special drawing required under par. (d), and must include at least one hour and a half weekly of actual use of the tools by the boys themselves working at the bench.

- (b) Be in the use of the ordinary tools used in handicrafts in wood or iron;
- (c) Be given in a properly-fitted workshop wholly devoted to manual instruction; and
- (d) Be connected with instruction in drawing—that is to say, the work must be from drawings to scale previously made by the scholars under the direction of the manual instructor.

The intention of the rule laid down in par. (a) is that the manual instruction should be given continuously throughout the school year for two hours weekly to all scholars, including half-time scholars, if any, in respect of whom a grant is to be claimed; and that scholars in respect of whom a grant is to be claimed, but who are in attendance on the ordinary instruction for a part only of the school year, should also receive manual instruction for two hours weekly throughout the whole period of their attendance on the ordinary instruction.

Early notice of any alteration of the time or times as provided in the time-table for manual instruction should be sent to the Inspector; and also of times when the class may have to be closed for any special reason, such as the teacher's illness, epidemic, etc.

(2) Manual instruction should be given if possible by a teacher holding the certificate of the City and Guilds of London Institute, or some other qualification recognised by the Board, but such qualification will not for the present be insisted on as a condition of the grant being paid. The instruction may be given by one of the regular teachers of the school or centre at which the manual instruction is given, if he is sufficiently qualified; if not, he must be assisted by a skilled artisan, and care must be taken to make such arrangements as will ensure the maintenance of good order and discipline. The number of children receiving practical instruction from one teacher at any one time should not exceed twenty.

(3) The work of the class will be judged by an Inspector at a visit or visits which he will make in the course of the school year, generally without notice.

(4) The school, or centre, must be properly furnished with plant for instruction, and the managers must certify—

- (a) That every scholar for whom a grant is claimed has received manual instruction for at least two hours a week for not less than 20 weeks during the school year for which the grant is claimed, and while attending the school with reasonable regularity; and
- (b) That a special register of attendance is kept and supervised by the managers of the school, or by the committee of the manual class when the instruction is given at a central school or workshop under the management of a separate committee. The managers, or members of the committee, visiting the class should record on the attendance register the number of scholars present at the time of each visit, attesting the same by their dated signatures; and they should also see that the registers are properly kept.

The managers must inform the Board as soon as manual instruction is commenced in connection with their schools.

(5) Attendances made by boys under 12 years of age will not, as a rule, be recognised for the purpose of a grant under Article 101 (d).

During the past year 1,811 schools have taken manual instruction, and grants have been paid to 1,656 departments to 13,370 boys at the rate of 6s., and to 87,851 boys at the rate of 7s.

A new circular of advice and guidance has been issued for the use of managers of schools in which manual instruction is taken for the first time, and in it we have laid stress on the importance of making manual instruction more real by applying the exercises towards the construction of actual objects of use or ornament. Report, 1901-2, page 22.

Circular 459.

#### MANUAL INSTRUCTION.

##### *Suggestions for Public Elementary Day Schools.*

1. Manual instruction in elementary schools should be regarded, not as a special study by itself, and still less as an apprenticeship to any particular handicraft, but as part of the general instruction by which children are taught to think clearly and to work accurately. It is directed towards the formation of character through discipline of the hand and eye. It should therefore be based on a carefully graded course of work involving exercise in the proper manipulation of the commoner tools, and should include, as an integral part, training in the special drawing from which work at the benches is done. Subject to these requirements being satisfactorily met, the Board of Education desire to leave the managers of schools as free as possible in formulating courses of manual training under Schedule II. of the Code. The following observations must, therefore, be regarded more in the light of suggestions than as rules to be rigidly adhered to.

2. Manual training in wood or metal in the higher classes should be closely connected with the Kindergarten teaching of the infants' schools through a graduated course of preparatory work in the intermediate classes, which might consist of clay-modelling, paper folding and cutting, cardboard-modelling, etc.

3. The manual training room should be well lighted, heated, and ventilated; lavatory and cloak-room accommodation should be provided where the room has to serve more than one school. There should be not less than 4 ft. run of bench and a space of at least 2 ft. in front of the bench for each scholar under instruction. There should be a bench and a set of bench tools for the use of each scholar when under instruction, with a proper place in which to keep them, and supplementary tools conveniently arranged, each bench being provided with a wood or metal vice as the case may be. Among the chief tools required for the early stages of manual training are the rule, the marking knife or scriber, the try-square, the jack-plane, the saw, the hammer, the screw-driver, and the chisel. The construction and mode of use of the tools should be carefully explained, while demonstrations should be given illustrating the proper methods of sharpening them (in the case of cutting tools) and of keeping them in order. More advanced scholars may with advantage be taught themselves to grind and sharpen the edge-tools they use.



4. The drawings which the Code requires to be made under the direction of the manual instructor should be full size or to large scale. They should not be copies of other drawings, but made from a model or a freehand sketch, or from instructions. Care should be taken that the scholar properly appreciates the importance of accuracy in working, and strict attention should be paid to dimensions.

5. A great variety of exercises may be arranged, suited to the strength and ability of the scholar, which will at the same time give an elementary knowledge of the principles of construction; and most of these exercises may be practised in the construction of actual objects of ornament or utility. The teacher should draw up a graded series of these exercises and objects, which should be submitted, in the case of new schemes, to the Board of Education for approval.

6. In woodwork, sawing off across the grain and sawing down along the grain should be among the earliest exercises. The blocks or strips of wood should have the required dimensions marked on them by the scholars from their own drawings. Instruction in the use of the plane may be begun with simple surfaces of about 3 in. in width. The planing of two surfaces at right angles to each other, the preparations of right prisms of rectangular and polygonal sections, and the construction of bevelled straight edges might follow later. Many teachers have found that the joints used by carpenters form the basis of a valuable series of exercises by which the use of the tools mentioned in paragraph 3 may be learnt. Lessons on methods of holding or fastening by means of nails, screws, and glue, as well as by fitting, should be given. Neatness of workmanship, and a due regard to accuracy and finish, should be insisted upon in all cases.

7. If the manual training room is provided with a lathe, the work of more advanced scholars may include the simpler forms of turning.

8. Scholars should obtain some knowledge respecting the various kinds of hard and soft woods, the growth and structure of timber, its fibre and grain, and the uses of the commoner varieties. Lessons on these points should be illustrated by longitudinal and cross sections of the chief descriptions of timber commonly employed.

9. In metal work courses the early exercises may most conveniently consist in cutting-out and shaping geometrical and other forms in sheet metal. This may be followed, with more advanced scholars, by the production of a plane surface by clipping and filing; formation of geometrical solids of given dimensions. Making a bolt-head, a hexagonal prism, and a hexagonal nut will be found good exercises in the use of the file; the making of a nut-gauge, a set-square, and L-square, and various kinds of punches and chisels might follow. Drilling a circular



hole in an iron plate, screw-cutting, and similar exercises will enable a scholar to take part in the construction of useful tools for the manual training room. Instruction may subsequently be given in joining metal work by soldering, brazing, riveting, welding, etc. Where there is no smith's hearth, the use of cold riveting may be shown, while the use of the hammer may be practised with bar-lead in place of hot iron. A lathe for metal work and a blacksmith's forge will be found extremely useful where they can be provided.

Board of Education, Whitehall, February, 1902.

**Medical Certificates.**—Where a medical certificate is required by the local education authority the same should be paid for by that authority. It is possible to make arrangements with hospitals and dispensaries to provide certificates in cases where there is no medical man in attendance on the child or the family to which he belongs. Where there is a medical man in attendance, he will require to be paid for any certificate he may give to the local education authority, regarding the ability or otherwise of the child to attend school.

**Medical Officers.**—A number of school boards have appointed medical officers for performing such duties as the examination of teachers on appointment—including the candidates and pupil teachers—visiting schools regarding sanitary defects and the outbreak of infectious disease—dealing with defective children and children requiring certificates for admission to schools for the blind and deaf.

The general rule is to appoint a gentleman in practice, who devotes the time necessary to the discharge of the duties of the office of medical officer to the authority.

The London School Board have a medical officer who devotes the whole of his time to the service of the board—appointed at a salary of £800 per annum, rising by £25 per year to £1,000, whose duty it is to generally supervise the medical officer's department, to conduct correspondence, to examine male candidates for employment, to visit schools where there has been an outbreak of infectious disease, and generally to do such work, conduct such inquiries, and give such advice as the board may require of him from time to time.

The board also employ the following assistant medical officers:—

Assistant (lady), half-time.—Examination of female candidates for employment: crippled children: examination of defective children in spare time.

Two assistants, half-time.—Examination of defective, blind, and deaf children. Spare time to be given to visiting schools (where there has been infectious disease).

The half-time to be six half-days per week. Salary, £250 per annum in each case.

The board also employ eight oculists—temporary—for the purpose of testing the eyesight of the children in senior departments of schools. Remuneration, 50 guineas each.

The board have also a nurse, who visits schools and reports on ringworm. Salary £75 per annum and travelling expenses.

**Mentally Deficient Children.**—In the year the late Queen Victoria came to the throne, it occurred to a French medical man (Edouard Séguin) to attempt to improve the mental and physical condition of feeble-minded children. He began with one child, and, after five years' further study and experience, in 1842 he took charge of the education of the idiot children of the Bicêtre. About the same time similar work was undertaken by medical men in Germany and Switzerland. Dr. Shuttleworth, in his valuable work on "Mentally-deficient Children," tells us of the "curious coincidence that almost simultaneously in France, Switzerland, and Germany independent efforts were inaugurated for the benefit of the mentally-defective class; and the year 1842 must be looked upon as an epoch memorable in this matter. Although Séguin is entitled to the credit of priority, he himself modestly avers that 'at certain times and eras the whole race of man, as regards the discovery of truth, seems to arrive at once at a certain point, so that it is hard to say who is the discoverer.' "

In England and the United States, as well as in Denmark and other countries in Europe, measures were taken to further the education of afflicted children. These measures dealt mainly, however, with those who were idiots or clearly imbecile. Within the past fifteen years the attention of the public has been drawn to a class whose mental defects cannot be so clearly defined, but who, being of feeble mind, are unable to hold their own in the ordinary primary school—even were it possible to provide there for them the kind of instruction they require.

In 1888 the British Medical Association appointed a committee to study school children as to their mental and physical status, and, with others, Dr. Francis Warner examined 100,000 children individually in different parts of the country, and reported thereon. The children were divided by Dr. Warner into different groups, and we are told that of those seen 16 per 1,000 required special care and attention. As far back as 1884, at the Social Science Congress, Dr. Warner advocated classes for special instruction.

In 1889, the Royal Commission appointed to consider the cases of blind, deaf, and other classes requiring exceptional modes of education recommended that feeble-minded children should be separated from ordinary scholars in public elementary schools, in order that they may receive special instruction. In March, 1891,

the London School Board considered this recommendation, and resolved "that special schools for those children who, by reason of physical or mental defect, cannot be properly taught in the ordinary standards, or by ordinary methods, be established, and that the schools be designated 'Schools for Special Instruction.' That a sufficient number of rooms be provided at each school for special instruction, so as to enable the children to be properly classified, in order to meet their individual capacity for mental development, so that they may eventually be enabled to assume their places in the ordinary schools." Other recommendations followed dealing with the teaching and method of selection of the cases of such children, which will be dealt with in their proper places in this article. In 1894 the London School Board urged that legislation should be obtained to enable school authorities to provide special means of education for defective children similar to the means provided for blind and deaf children by "The Elementary Education (Blind and Deaf Children) Act, 1893."

In March, 1895, the Education Department addressed circular letters to Her Majesty's inspectors of schools, and to some of the principal school boards, "inviting their views as to the suggested extension of the Blind and Deaf Children Act to defective and epileptic children"; but the replies, while they showed that attention was being directed towards the subject, did not afford a sufficiently clear basis for further action on the part of the Department.

In 1896 further representations asking for legislation were addressed to the Education Department by persons interested in the subject of feeble-minded children in connection with the Education Bill then before the House of Commons. In December, 1896, a Departmental Committee was appointed by the Lord President, "to inquire into the existing systems for the education of feeble-minded and defective children not under the charge of guardians, and not idiots or imbeciles, and to advise as to any changes, either with or without legislation, that may be desirable. To report particularly upon the best practical means for discriminating, on the one hand, between the educable and non-educable classes of feeble-minded and defective children, and, on the other hand, between those children who may properly be taught in ordinary elementary schools by ordinary methods, and those who should be taught in special schools. To inquire and report as to the provision of suitable elementary education for epileptic children, and to advise as to any changes that may be desirable.

The report was dated 7th January, 1898, and the result was the passing of "The Elementary Education (Defective and Epileptic Children) Act, 1899." See page 449.

Gross cost—day schools £8 15s. 4d., boarding schools £30 to £35 per annum.

See Defective Children, page 68. Epileptic Children, page 82.

Regulations of Board of Education, page 517. Crippled Children, page 67.

I am indebted to Miss Jane B. Dickens, superintendent of the special schools in Manchester, for the following interesting account of the work in that city:—

#### SPECIAL SCHOOLS FOR MENTALLY-DEFICIENT CHILDREN : MANCHESTER SCHOOL BOARD.

During the year 1902 the special schools for mentally-deficient children have been opened in Manchester. These schools have been specially built and equipped for this particular branch of education. There have been more than a hundred children examined by the medical officer for admission, and most of them have been passed by him, and have become scholars. Those who were imbecile, or who seemed incapable of improvement, or who might have had a harmful effect upon the other children, were refused admission. Some of them have never attended any school, but most of them come from the ordinary schools of the district. There are children of every type of mental deficiency, and it is often the case that physical deficiency or infirmity, a want of vitality, or some deformity accompanies the mental want.

No two children are alike or can be treated exactly in the same way. There is the child who will not speak, and the child who chatters incessantly. Shyness, self-consciousness, and reserve become almost a disease in one, while in another constant giggling and foolish laughter show the weakness of mind. One child is unapproachable and surly, another is overpowering with demonstrations of affection. Many are the victims of infant paralysis, and these generally have one side of the body quite useless and the brain affected also. The dwarfed, undeveloped body and the baby mind and intelligence of a child of ten or twelve years contrasts with the awkward overgrown body and vacant face of the same age.

These are only a few of the types most easily picked out by the ordinary observer. Constant contact with the children reveals many others.

In all the children there is some weakness or want; a lack of the sense of responsibility, as well as the inability to learn as normal children do. Moral deficiency, too, often shows itself in them also; there is nothing more difficult than to make them understand the difference between right and wrong.

Perhaps the most pitiful case of all is the epileptic. A boy, naturally amiable and intelligent, becomes most vicious and unmanageable when a fit is coming on or has just passed, and, as the disease progresses, gradually grows more feeble-minded.

The children are not all admitted to the special schools at once, but five or six a week until the school is full. This gives the



teachers an opportunity of becoming acquainted with the characteristics of one set of children before the next arrives. After they have been in school some time they begin to improve under the special training. They behave more like ordinary children, they respond more readily, they can see a joke, they can join in a game, and *pretend*, thus showing that their imagination is developing, and, what is a more hopeful sign than any, they will even *originate* a game.

Some of the children are very bright-faced, but often they are more hopeless cases than the less attractive children.

The nature lessons are a great pleasure to all the scholars. They are perfectly absorbed while the lessons are going on, although they soon forget much that they have learnt; they can take in, but it is difficult for them to retain information.

Singing and drill form a part of every day's business, and are a source of much delight to the children. Movement, sound, and rhythm appeal to them all. Many of them have very sweet voices, and this part of their school work is always enjoyable, both to themselves and to others. An honest effort is made by the teachers to deal with the "three R's." As these subjects require most mental work, they are generally taken in the morning.

Bad sight and defective hearing are very common among the children, and thick and defective speech almost universal. The teaching of the ordinary school subjects is therefore extremely difficult.

In the higher class some may gain proficiency in the simpler rules of arithmetic, but this subject is generally a stumbling block. Counting with beads, shells, bricks, etc.; learning the value and composition of numbers by means of such objects; grasping the idea that the figure stands for the number—these are the first steps in arithmetic. Later, the simpler rules may be taught, and, what is of more importance, the use and value of money in the ordinary transactions of every-day life. Shop lessons, in which the teachers and scholars buy and sell, give both pleasure and profit. But it is only the older children who can go as far as this. In the special schools the terms "older" and "younger" apply to ability, and not to age.

In reading, some children become fairly fluent, while others, after much patient striving, never get beyond simple words. Reading includes articulation, and the defective speech is helped as much as possible.

In writing, all may attain something—many will even write *well*. It does not require so much brain power as reading and arithmetic, and it is an exercise that the children like. The slow, cold, nerveless, little fingers which are characteristic of these children may be trained to do this and many other manual employments.



Much can be done to develop the faculties the children possess, and, although some of them will never be able to go out into the world and compete with others for a living, they may be made useful and happy.

It is hoped that after leaving school a number can learn a trade, or go into service, or do some form of work, and the courses of manual training are arranged in this direction and with this end in view.

### *Manual Employments for the Older Children.*

**Domestic Lessons:** Washing crockery, towels, etc.; setting the table for a meal; cleaning knives and spoons; cleaning kitchens and sitting-rooms; dusting and polishing furniture, and other work of the same kind; simple cookery lessons; sewing and knitting, embroidery, crochet, rug-making, weaving in different materials; basket-making; paper-folding, paper-cutting; free drawing with chalk, pencil, and brush; measuring; clay modelling, cardboard modelling, bent-iron work, woodwork.

### *Manual Employments for the Younger Children.*

Work which leads up to the older children's work. Kindergarten gifts, such as bead-threading, building with bricks, stick-laying, tablet-laying, paper-folding, free chalk drawing and colouring, knitting, etc.

Boys and girls, as a rule, take the same manual employments.

Whether the mental deficiency of the children is hereditary and congenital, or the result of illness and accidents, they are all handicapped from the beginning of their lives, and the motive and aim of their teachers is to help them to develop in every possible way; to equip them, as far as they can, for their future life; to make them useful and happy; and by implanting in them true and right ideas of conduct to protect them from influences which would harm them.

It will easily be seen, therefore, that while real discipline is maintained, there is more freedom and less restraint, more of an atmosphere of home life, about these schools than is possible to schools working under the ordinary conditions.

**Metric System.**—The Day School Code prescribes (Schedule I)—Instruction in the principles of the metric system, and in the advantages to be gained from uniformity in the method of forming multiples and sub-multiples of the unit, must be given to the scholars in Standards IV., V., VI., VII. As a preparation for this, it will be useful to give, in Standard III., the elementary lessons on the notation of decimal fractions.

The Revised Instructions, 1902, concerning this subject, state: Scholars in the higher classes should be taught the principles of

the metric system—*i.e.*, the systems of coinage and of weights and measures, in which the increase of values or of quantities proceeds by multiples of ten, and their diminution by multiples of one-tenth. It will probably be found most convenient to illustrate these principles by reference to the metre, the franc, and the gramme.

**Ministers of Religion.**—Clergymen of the Church of England, priests of the Roman Catholic Church, and Nonconformist ministers—(a) can be members of the county councils; (b) cannot be members of town councils; (c) can be members of the education committee of the local education authority.

### Minor Local Authorities.

Sec. 24.—(2) In this Act the expression "minor local authority" means, as respects any school, the council of any borough or urban district, or the parish council, or (where there is no parish council) the parish meeting of any parish, which appears to the county council to be served by the school. Where the school appears to the county council to serve the area of more than one minor local authority the county council shall make such provision as they think proper for joint appointment of managers by the authorities concerned.—(Act of 1902.)

In counties the minor local authority is to appoint one of the managers of any non-provided public elementary school in its district.—Sec. 6 (2) (a) Act of 1902.

**Minute Books.**—The minute book of the local education authority, or of the education committee, should contain a record of all items of income and expenditure, and care should be taken that all appointments, the acceptance of tenders, and particulars of any new expense are set forth in sufficient detail to satisfy the requirements of the Local Government Board Auditor.

**Mixed Schools.**—Mixed schools are almost universal in the large towns of Scotland—the boys and girls forming the senior departments being under the charge of the head master, who also controls the juvenile school. Sometimes, however, the infants' mistress is independent.

In England, as a rule, the infants' department is under the charge of an infants' mistress, except in the case of small mixed schools, where, should the attendance of infants be below 60, they are formed into a class taught by one of the women assistants in the school. Judging from their practice, the majority of school boards do not see any advantage in placing the infants' department under the control of the head master of the mixed school. The efficient instruction of infants is entirely distinctive from the other work of the school, and is of so much importance in itself, that it demands the attention of a responsible head mistress.

Although there are few towns in England where the mixed system has been adopted for all the board schools, there are many towns where schools of this class have been established, and, of late years, there has been a considerable increase in the number of board schools so organised.

The teaching of boys and girls together in one school, under the direction of one head teacher, has much to recommend it. Certainly, from a school planning point of view, it aids simplicity of arrangement and economy in the cost of erection. For example, only one central hall is necessary, and a more compact building can be provided than is possible in the case of a school having more than one department for older children. There is a consequent saving in the actual portion of the site occupied by buildings, and thus the playgrounds are benefited. The compactness of a well-designed mixed school also economises the amount of the roofing of the building, an item of no inconsiderable moment in the cost of school provision. In the case of large mixed schools there is also a considerable saving in cost of maintenance; hence it is possible to pay liberal salaries to the class teachers employed. The same is true of books, apparatus, and stationery, the consumption of stores being better controlled by one head teacher than by several.

It is claimed for the mixed system that the greatest benefits secured by its adoption are those obtained by the children and teachers. With boys and girls taught together in the same classroom the manners of the boys are certainly influenced for good, and there arises a spirit of emulation or desire to excel in good behaviour and attention to work on the part of both which is pleasant to witness in all well-taught mixed schools. One of the positions taken up by the advocates of the system is that whilst boys and girls are together in family life, in places of worship, in the public thoroughfares, and in numerous other places, the school is the only place where it has been the practice to keep them apart—a position it is somewhat difficult to attack, seeing that of all the places where children mix in each other's society the day school is the one where they are under the most perfect discipline.

In a mixed school it is easy to arrange for the lower standards to be taught by women teachers—the best teachers for the purpose—and for the girls in the higher standards to be instructed by men, particularly in arithmetic and in advanced subjects—a most desirable arrangement. It is also claimed that the singing in mixed schools is, as a rule, better than the singing of separate departments. Pupil teachers serving in mixed schools have a distinct advantage, seeing that they can take part in the whole work of the school, and thus widen their practical acquaintance with teaching.

The foregoing are some, by no means all, of the reasons which

are put forward in favour of the mixed system of education, and which have led to its almost universal adoption in the common schools of America, in the public schools of Scotland, and almost without exception in the whole of the Wesleyan schools of this country—the latter having been in the past amongst the most efficient in the denominational system of education in England and Wales.

The efficiency of a school very largely depends upon the head teacher, whether of a mixed or separate department; particularly is this the case with the former class. A badly-conducted mixed school is capable of producing evils not to be found in any other kind of school; hence the extreme care which must be exercised in the selection of the principal and assistant teachers.

Mixed schools are, of course, generally larger than schools conducted in separate departments for boys and girls, and it is frequently alleged against them that some are so large that the direct influence of the head teacher is lost. The view that a school may be too large is one that has been held by many eminent educationalists, the Rev. Edward Thring among the number, a man who undoubtedly sacrificed a large amount of possible income to this view, seeing that at the height of its popularity he would never allow his great school to number more than 300 pupils. His was, however, a boarding school, and had to supply the influence of the home as well as the instruction of the ordinary day school. In the case of a boarding school the argument against very large schools is undoubtedly a strong one. On the other hand, the man who has won the greatest renown as a schoolmaster in England, Thomas Arnold, had no such misgivings with regard to the growth of Rugby. This man, whose strongest claim to reverence has ever been the influence for good which he brought to bear upon his boys and his success in the formation of character, for many years ruled a school numbering 500—since greatly increased under able successors.

A skilful organiser and conscientious head teacher will so imbue his staff with his views and principles that even in a very large school his spirit will permeate the whole of the work; just as in the contrary direction, the evil influence of a bad teacher may speedily injure the lives and character of the children, and remain working evil, long after such teacher has left.

Another argument against mixed schools is that they destroy the teaching career of a large number of women teachers. In reply, it may be stated in their favour that although the number of principal teachers is undoubtedly reduced, the managers are able to improve the positions of the assistants; and mixed departments are, as a rule, sufficiently large to command the services of at least one senior assistant with a higher salary—such an assistant being a woman, where the head of the school is a man. Further, there is no reason why women should not



aspire to become the head teachers of mixed schools, a position for which many women teachers are perfectly well fitted. To say that such a task is beyond the powers of a woman is to argue without knowledge, seeing that the most difficult class of mixed schools, namely, those of the certified day industrial schools, attended by many of the lowest and worst class of children, are, except in London, universally controlled by women, both as superintendents and class teachers.

## Modification of Acts, etc.

### THIRD SCHEDULE.

#### *Modifications of Acts, etc.*

(1) References to school boards and schools districts shall be construed as references to local education authorities and the areas for which they act, except as respects transactions before the appointed day, and except that in paragraph (2) of section 19 of the Elementary Education Act, 1876, and in sub-section (1) of section 2 of the Education Code (1890) Act, 1890, references to a school district shall, as respects the area of a local education authority being the council of a county, be construed as references to a parish.

(2) References to the school fund or local rate shall be construed as references to the fund or rate out of which the expenses of the local education authority are payable.

(3) In section thirty-eight of the Elementary Education Act, 1876, references to members of a school board shall be construed as references to members of the education committee, or of any sub-committee appointed by that committee for school attendance purposes.

(4) The power of making bye-laws shall (where the local education authority is a county council) include a power of making different bye-laws for different parts of the area of the authority.

(5) The following provision shall have effect in lieu of section five of the Elementary Education Act, 1891: "The duty of a local education authority under the Education Acts, 1870 to 1902, to provide a sufficient amount of public school accommodation, shall include the duty to provide a sufficient amount of public school accommodation without payment of fees in every part of their area."

(6) The words "in the opinion of the Board of Education" shall be substituted for the words "in their opinion" in the first paragraph of section eighteen of the Elementary Education Act, 1870.

(7) Section ninety-nine of the Elementary Education Act, 1870, shall apply to the fulfilment of any conditions, the performance of any duties, and the exercise of any powers under this Act as it applies to the fulfilment of conditions required in pursuance of that Act to be fulfilled in order to obtain a Parliamentary grant.

(8) A reference to the provisions of this Act as to borrowing shall be substituted in section fifteen of the Elementary Education Act, 1876, for the reference to section ten of the Elementary Education Act, 1873, and a reference to the local Government Board shall be substituted for the second reference in that section to the Education Department, and also for the reference to the Education Department in section five of the Elementary Education (Blind and Deaf Children) Act, 1893.

(9) A reference to the provisions of this Act relating to the enforcement of the performance of the local education authority's duties by mandamus shall be substituted in section two of the Elemen-



tary Education Act, 1880, for the reference to section twenty-seven of the Elementary Education Act, 1876.

(10) The substitution for school boards, school districts, school fund, and local rate made by this schedule shall, unless the context otherwise requires, be made in any enactment referring to or applying the Elementary Education Acts, 1870 to 1900, or any of them, so far as the reference or application extends.

(11) References in any enactment or in any provision of a scheme made under the Charitable Trusts Acts, 1853 to 1894, or the Endowed Schools Acts, 1869 to 1889, or the Elementary Education Acts, 1870 to 1900, to any provisions of the Technical Instruction Acts, 1889 and 1891, or either of those Acts, shall, unless the context otherwise requires, be construed as references to the provisions of Part II. of this Act, and the provisions of this Act shall apply with respect to any school, college, or hostel established, and to any obligation incurred, under the Technical Instruction Acts, 1889 and 1891, as if the school, college, or hostel had been established or the obligation incurred under Part II. of this Act.

(12) The Local Government Board may, after consultation with the Board of Education, by order make such adaptations in the provisions of any local Act (including any Act to confirm a provisional order and any scheme under the Municipal Corporation Act, 1882, as amended by any subsequent Act) as may seem to them to be necessary to make those provisions conform with the provisions of this Act, and may also in like manner, on the application of any council who have power as to education under this Act and have also powers as to education under any local Act, make such modifications in the local Act as will enable the powers under that Act to be exercised as if they were powers under this Act.

Any order made under this provision shall operate as if enacted in this Act.

**Mortmain, etc., Acts.**—Sec. 23 (5).—The Mortmain and Charitable Uses Act, 1888, and so much of the Mortmain and Charitable Uses Act, 1891, as requires that land assured by will shall be sold within one year from the death of the testator, shall not apply to any assurance, within the meaning of the said Act of 1888, of land for the purpose of a schoolhouse for an elementary school.—(Act of 1902.)

**Music: Vocal and Instrumental.**—Singing is required to be taught in all public elementary schools, according to one of the notations.

A piano, for leading the singing and marching, is an absolute necessity in every good school.

Pianoforte instruction is given to pupils in some schools: but attendance at such instruction cannot be marked in the registers of a public elementary school.

For some years violin instruction was given with success in one of the Manchester evening schools.

Instruction in instrumental music is found of the greatest benefit in boys' industrial schools. Proficiency in playing a musical instrument is the best recommendation for the industrial school boy desirous to enter the army or navy.

**Museums.**—Every infants' school, at least, should have its museum, placed well down on the floor level with glass front coming nearly to the floor; the shelves not too deep, and the interior so arranged that the children may command a full view of contents. The ingenuity displayed in the arranging of these museums for infants is marvellous, when undertaken by a competent infants' school mistress.

**National Schools.**—The distinctive name generally given to the day schools belonging to the Church of England, derived from the great work done for these schools by the National Society for Promoting the Education of the Poor in the Principles of the Established Church. The National Society was founded in 1811, to carry on the work of the Society for the Promotion of Christian Knowledge, founded in 1698. The National Society has raised large sums of money for the building and maintenance of schools, and its establishment is associated with the name of Dr. Bell.

**Naval Schools.**—There are schools at Greenwich Hospital, the Royal Dockyards, also the schools of the Royal Marines on the training ships. The schools for children since 1895 have been public elementary schools under the inspection of the Board of Education.

**Necessity of Schools.**—Sec. 9. The Board of Education shall, without unnecessary delay, determine in case of dispute whether a school is necessary or not, and in so determining, and also in deciding on any appeal as to the provision of a new school, shall have regard to the interest of secular instruction, to the wishes of parents as to the education of their children, and to the economy of the rates, but a school for the time being recognised as a public elementary school shall not be considered unnecessary in which the number of scholars in average attendance, as computed by the Board of Education, is not less than thirty.—Act of 1902.

The recognition of New Schools, Enlarged Schools, or Transferred Schools is dealt with by sec. 8. See School Provision, page 243.

**Nurse : School.**—In a few large cities the employment of school visiting nurses is being commenced. They are provided, it is believed, as a rule, by voluntary associations to schools applying for them. The nurse attends during school hours, and sees all children who are referred to her by the teachers, the cases being principally eye or skin diseases, discharging ears, sore and dirty heads, gathered fingers and heels, chilblains, etc. It has been found necessary to give these "school nurses" some special instruction with regard to eye troubles, the detection and treat-

ment of which may require exceptional knowledge and skill. The nurse is able to decide what children require medical advice or treatment, and to lessen the risk of contagion by recognising infectious complaints in an early stage. Managers and teachers, as well as H.M. Inspectors, have testified to the value of these nurses in improving the health of the scholars and in increasing the regularity of attendance.

**Officers.** The principal officers hitherto employed by school boards in large towns have been—

1. The Clerk of the Board, who has been the chief executive officer of the board, with responsible supervision of all the officers in the various departments of administration, and the official correspondent with the Board of Education.

2. The Accountant. Where such an officer has been appointed he has been responsible for the keeping of the accounts under the Order of the Local Government Board.

3. The Cashier, who has been responsible for all receipts and payments.

4. The Superintendent of School Attendance Officers, who has had charge of the carrying out of the law of compulsory school attendance; collection of penalties, including parents' contributions in the case of day industrial schools and schools for the blind, deaf, or defective. Ordinary industrial school payments are, as a rule, collected by the police, seeing that the receipt of such money goes in relief of the Treasury grants: in the other cases referred to the money belongs to the school board.

5. School Attendance Officers. Allocated to districts and charged with the visitation of absentees and the carrying out of the bye-laws for compulsory school attendance.

6. Industrial Schools Officers. Dealing with criminal and neglected children coming within the provisions of the Industrial Schools Acts.

7. School Inspectors or Organising Masters. For the examination or inspection of the children in the schools, and the pupil teachers, in secular and religious knowledge: the passing of requisitions for reading books, apparatus, and stationery; the checking of registers, and the general carrying out of the details of school management covered by such lists of duties as have been approved by the respective school boards.

**NOTE.**—Under the new conditions the councils will have no concern with the religious instruction in the non-provided schools, but, no doubt, will require to be satisfied by inspection or otherwise of the efficiency of the secular instruction in such schools as well as of the religious and secular instruction in the provided schools.

8. Medical Officers. In certain districts.
9. Superintendent of Manual Instruction.
10. Superintendent of Physical Exercises.
11. Superintendent of Special Schools. A lady well versed in the care and instruction of afflicted children.
12. Office Clerks. Such as may have been necessary.

The foregoing is the general list of the more important officials. There have also been Solicitors, Architects, Draughtsmen, Clerks of Works, and in some districts Special Inspectors of such subjects as Housewifery, Singing, Needlework, etc.

In addition to salaries, reasonable travelling expenses have, where necessary, been allowed.

**Offices.**—Section 42 of the Act of 1876 gave full powers to school boards to erect suitable offices, and afforded facilities for loans. These powers are now repealed, but the councils have full power. School board offices have been specially erected in London, Manchester, Liverpool, Salford, Birmingham, and in a large number of other towns. In other cases premises have been purchased and adapted for use by the school board.

**Older Children: Courses of Instruction.**—The Day School Code prescribes the courses of instruction for schools for older scholars.

15. (b) The course of instruction in schools for older scholars is as follows:—

- |  |   |
|--|---|
| i. English, by which is to be understood reading, recitation, writing, composition, and grammar in so far as it bears upon the correct use of language ..... | } To be taken as a rule in all schools. |
| Arithmetic .....   |   |
| Drawing, for boys .....  |   |
| Needlework, for girls .....  |   |
| Lessons, including object-lessons, on geography, history, and common things .....  |   |
| Singing, which should as a rule be by note .....   |   |
| Physical Training. [See Schedule III.] .....   |   |

N.B.—It is not necessary that all these subjects should be taught in every class.

One or more of them may be omitted in any school which can satisfy the Inspector and the Board that there is good reason in its case for the omission.

For the purposes of Section 1 (1) (a) of the Technical Instruction Act, 1889, reading, writing, and arithmetic are obligatory or standard subjects.

|   |                            |
|---|----------------------------|
| ii. Algebra .....   |                            |
| Euclid .....  |                            |
| Mensuration .....   |                            |
| Mechanics .....   |                            |
| Chemistry .....   |                            |
| Physics .....   |                            |
| Elementary Physics and Chemistry .....                            |                            |
| Animal Physiology .....   |                            |
| Hygiene .....   |                            |
| Botany .....  |                            |
| Principles of Agriculture .....                                   |                            |
| Horticulture .....  |                            |
| Navigation .....  |                            |
| Latin .....   |                            |
| French .....  |                            |
| Welsh (for scholars in schools in Wales) .....                    |                            |
| German .....  |                            |
| Book-keeping .....  |                            |
| Shorthand, according to some system recognised by the Board ..... |                            |
| Domestic Economy or Domestic Science .....                        |                            |
| Drawing, for girls .....  |                            |
| Needlework, for boys .....  |                            |
| iii. Cookery. [See Art. 101 (g)] .....                            | } For girls.               |
| Laundry Work. [See Art. 101 (h)] .....                            |                            |
| Dairy Work. [See Art. 101 (i)] .....                              |                            |
| Household Management. [See Art. 101 (m)] .....                    |                            |
| Cottage Gardening. [See Art. 101 (k)] .....                       | } For boys.                |
| Manual Instruction. [See Art. 101 (l)] .....                      |                            |
| Cookery. [See Art. 101 (g) IV.] .....                             | For boys in seaport towns. |

One or more of these is to be taken when the circumstances of the school, in the opinion of the Inspector, make it desirable.

Where manual instruction is taken, it is desirable that suitable occupations leading up to it should be taken in the lower classes.

16. Any subject, other than those mentioned in Article 15, may, if sanctioned by the Board, be included in the course of instruction, provided that a graduated scheme for teaching it be submitted to, and approved by, the Inspector.

**Parent.** The term "parent" includes father, mother, grandfather, and grandmother. In the case of a married woman having the custody of her child during the absence of her husband, owing either to desertion or the pursuit of his calling, the mother can be proceeded against for breach of school attendance bye-laws.

Temporary residence away from home does not relieve parents of liability.

**Parish.** Parish councils and parish meetings are included under "minor local authorities."—Sec. 24 (2), Act of 1902.

The parish council consists of a chairman and members numbering from five to fifteen, elected by the parochial electors.

The parish meeting is an assembly of the parochial electors of a parish.



**Pauper Children.**—Section 40 of the Act of 1876 makes regular attendance at school a condition for the continuance of relief to out-door pauper parents. School fees may be paid by guardians in such cases.

Under Section 2 of the Act of 1900 poor-law guardians may contribute towards the expense of providing, enlarging, or maintaining any public elementary schools, certified by the Board of Education, where such expense has been incurred wholly or partly in respect of workhouse, etc., children taught at the school.

Section 9 of the Act of 1899 (Defective Children) gives poor-law guardians the like power in the case of special schools or classes.

These sensible provisions enable poor-law authorities to send pauper children to ordinary public elementary schools.

Under Section 4 (1) of the Act of 1891 the Board of Education have allowed school fees, varying from 3d. to 6d. a week, to be charged for such children, in order to meet the difficulty which has arisen of the education of workhouse, etc., children falling upon one parish in the union.

#### *Poor-law and Other Schools.*

The Board of Education state: "Examinations in drawing and manual instruction were held by the Board in 125 schools not being public elementary schools within the meaning of the Education Acts. This number comprised 33 schools (including 10 poor-law schools) in England which are not aided by grants from the Board of Education, Whitehall, and 92 schools in Ireland which are not under the Commissioners of National Education in Ireland. In these 125 schools 23,032 scholars were taught drawing and examined during the year ended 31st August, 1901. Grants for drawing, amounting to £1,046 2s. 6d., were paid to 79 of these schools in 1900-1901. Four of the schools also earned grants amounting to £69 in respect of manual instruction.

"The inspection of drawing and manual instruction in poor-law schools, together with the payment of grants thereon, was transferred to the Local Government Board on 31st March, 1901; and from the same date payment of the grants to the schools in Ireland was taken over by the Department of Agriculture and Technical Instruction, Ireland."—Report, 1901-2, page 42.

**Pensions for Teachers.** A limited number of pensions, from £20 to £30 per annum, are granted under Article 130 of the Day School Code. The general superannuation of certificated school teachers is provided for by the "Elementary School Teachers' Superannuation Act, 1898." The deductions on account of the teachers' contributions are virtually collected by the school managers during the year, seeing that the same are deducted at the end of the year by the Board of Education from the amount

of Government grant due to the school. The contribution at present is £3 per annum for a man and £2 for a woman, and the general rule is for the managers to deduct a twelfth part each month from the teacher's salary. Under the most favourable conditions the highest pension which could be obtained at the age of 65 by any teacher at present employed would be—for a man about £40, and for a woman about £33 6s. 8d.

Provision is made for deferred annuities and also for breakdown allowances.

Under the regulations of the War Office and Admiralty, after thirty years' service Army and Naval schoolmasters may be entitled to a permanent pension of 4s. 6d. per day.

## Physical Exercises.

### PHYSICAL TRAINING.

#### *Schedule III. of Day School Code.*

1. Physical training should be regarded as an integral and important part of the curriculum of every public elementary school.

A "Model Course of Physical Training," for use in the upper departments of public elementary schools, is obtainable from Messrs. Eyre and Spottiswoode, East Harding Street, Fleet Street, E.C. This model course sets forth a *minimum* such as can be satisfied even in small schools, which may be supplemented by further and more varied physical training, including, where possible, systematic instruction in swimming, cricket, etc. Such further physical training will be regarded as supplementary, but not alternative, to the minimum which the Board prescribes, and should always be conducted with due regard to the age, sex, and bodily constitution of the children. Thus, to take one instance, fixed gymnastic apparatus is unsuitable for children under fourteen years of age.

2. School managers may submit to the inspector, in duplicate, full details of any alternative course having the same scope and aim as the course prescribed by the Board.

3. The course in physical training should be carried on continuously throughout the school year for not less than one hour in each week for each class, and for not more than one half-hour for each class on any one day.

The instruction should not occupy any part of the time given to "recreation." (Article 12e.)

4. The instruction should, wherever possible, be carried on in the open air. Whenever outdoor space is not available, it should be given in the central hall: and where there is no central hall, it is recommended that a room should, if possible, be cleared for this purpose. The instruction should not be given while the children are in the desks, as it is essential that each child should

be able to move every limb to its fullest extent without fear or possibility of striking any person or object.

5. The utmost promptitude and the most precise and vigorous movement should be exacted. In the lower classes, in which correct position and movement can only be secured by individual attention, the number of children under the instruction of one teacher at any one time should be small. In the higher classes the number under instruction at the same time may be considerable, provided the teacher is competent.

6. It is desirable that the instruction in physical training should be given, wherever possible, by the regular teaching staff of the school, but where no teacher is fully competent to give this instruction, the assistance of an instructor from outside should be obtained.

Colonel G. Malcolm Fox is the inspector appointed by the Board of Education for physical training in schools.

**Pictures for Schools.**—It is satisfactory to note the increased attention which is being paid to the supply of suitable pictures for schools. In more than one town associations exist for lending such pictures, but most of the large schools now purchase suitable engravings. It is not the most satisfactory mode of hanging a picture to suspend it by a cord from a picture rod. It is far better to plug the wall with wood where required and insert therein hooks, on which the pictures may be hung by means of rings screwed on the backs. There is then no danger of a picture falling through rotten cords or other accidents. Pictures so hung can be kept perfectly straight on the walls. This cannot be safeguarded where they are hung by cords. Good engravings, well-framed in flat oak, and having panelled and dust-proof backs, are most suitable for school decoration. The pictures should be chosen to suit the department, and, as a rule, each picture should tell its own story, upon which the teacher can give an interesting lesson.

Amongst the engravings suitable for the purpose are, "Bolton Abbey," "The Monarch of the Glen," and "Bullfinch and Pair of Nutcrackers," etc. (Landseer); "Changing Pastures" and "Horse Fair" (Bonheur); "Village Wedding" (Fildes); "The Black Brunswicker," "The Order of Release," and "Princes in the Tower" (Millais). This is merely a short list by way of example.

**Playgrounds.**—The general regulations of the Board of Education regarding playgrounds will be found under the head of Sites: School—page 253.

An open, airy playground is an absolute necessity for every public elementary school, and the utmost amount of sunlight should be obtained. The effect of sunlight upon health is

admirably described by Sir J. Crichton Browne, in his address to the Sanitary Congress held at Manchester in 1902. This address should be read by all who are interested in school hygiene.

*Size of Playground.*—The general rule of the Board of Education in dealing with school sites is to require a minimum of a quarter of an acre for every 250 children accommodated, irrespective of the land required for the caretaker's house or for special centres. The amount of land covered by the buildings will, of course, depend on the arrangement of the school; that is, if it is contained in a building of one, two, or three storeys. To provide for this contingency the Board of Education have laid down the rule that the minimum unbuilt on or open space shall be equal to 30 square feet for each child accommodated in the school. In the earlier days of school boards school sites were too small, and this difficulty is now acutely felt in the case of many of the older schools. I would certainly recommend that where possible at least two acres should be obtained as a site for a school designed to accommodate a thousand children. The price of centrally-situated land is, of course, a difficulty in some cases, but the bulk of the accommodation which will have to be provided in the future in the case of towns will be situated on the outskirts, where, as a rule, land can be obtained for a reasonable price. Wherever possible the school authority will find that the purchase of a large site for a school will be a capital investment.

*Shape of Playground.*—The playground should be fairly square, properly levelled, drained, and enclosed. Buttresses, unnecessary corners, and recesses should be avoided.

*Play Sheds.* A portion of the playground should be covered, with one side against the boundary wall; but no covered way should connect the offices with the main building.

*Separation and Entrances.*—Boys and girls should have separate entrances to their own playgrounds. This is, of course, also necessary in the case of mixed schools.

It is found a capital plan to set back the school building well within the playground. It is the case with many of the best schools that the playgrounds are entirely at the front of the building. This arrangement affords protection for the children, and the minimum of annoyance to school work arising through street noises. It is a very badly-planned school where the children enter the buildings directly from the street.

Basement playgrounds are unhealthy and objectionable. All the playgrounds should be on the same level as the ground floor of the school.

*Surface of Playground.*—This should certainly be asphalted or covered with concrete. Nothing contributes more to the dirty condition of a school than a playground covered with gravel or loose ashes.



**Police Court Procedure.**—The police court proceedings (see secs. 23-24, Act of 1873) deal mainly with the following:—

- (1) Offences against the bye-laws regulating school attendance.
- (2) Illegal employment of children.
- (3) Industrial school cases.
- (4) Cruelty to children.

(1) *Offences Against Bye-laws, etc.*—Proceedings are taken (a) under the bye-laws or (b) under a school attendance order granted under Section 11 of the Act of 1876. The only advantage of the school attendance order is that it facilitates the committal of a child to an industrial school, should this extreme course be deemed desirable. It is quite easy for the school attendance officer to discriminate as to the kind of case which is best dealt with by means of a school attendance order.

The money penalty for an offence under the bye-laws or a school attendance order is a fine not exceeding twenty shillings including costs.

The justices may, under penalty, order the production of a child in court.—(Sec. 24 (4), Act of 1873.) Failure to comply involves a penalty not exceeding twenty shillings. There is an unwritten law in most courts of summary jurisdiction dealing with school attendance cases that before a police court summons is issued, in every case the parent or guardian of the child shall have had a previous opportunity of explaining to a committee of the authority the reason for such absence.

Formerly all orders for prosecution had, under Section 38 of the Act of 1876, to be signed by two members of the school board or school attendance committee, but this is modified by the Third Schedule (3) of the Act of 1902, so that orders for prosecution shall in future be given by the direction of not less than two members of the Education Committee, or of any sub-committee appointed by that committee for school attendance purposes.

Cases will frequently arise where defendants having been fined are not prepared with the money necessary to meet the penalty on the day of hearing. Time for payment should, as a rule, be given. Only notoriously bad characters should be summarily sent to prison. The collection of all penalties should be rigidly enforced by the school attendance authority, commitments being applied for when all other means have failed.

In towns, as a rule, a special day each week is fixed for the hearing of school attendance cases. This obviates the unnecessary withdrawal of school board officers from their districts.

(2) *Illegal Employment of Children.*—These cases are not of frequent occurrence. Sometimes the law is inadvertently broken by employers, and a warning from the school attendance officer will suffice.



Under the Act of 1876, Section 6, a person who takes a child into his employment in contravention of the Act is liable to a penalty not exceeding forty shillings.

It should be noted that the limit of age specified in the Act of 1876, Section 5, has been extended to the age of twelve by Section 1 of the Elementary Education Act, 1899, and Section 6 (1) of the Act of 1900, amending Section 4 of the Act of 1880, makes it illegal to employ a child under the age of fourteen before he has obtained exemption under the local bye-laws.

Officers of local authority have power to enter place of employment.—(Sec. 29, Act of 1876.) Penalty for refusal or obstruction not to exceed twenty pounds.

Parent making false representation is liable to penalty under Section 39 of the Act of 1876.

(3) *Industrial School Cases*.—It is a rule in Manchester for all the cases of children proposed to be dealt with under the Industrial Schools Acts to be remanded to the workhouse for at least a week for inquiries. In this interval the industrial schools officer makes a report on the case and receives instructions regarding the recommendations of the school board. In the intervals between the meetings of the committee the chairman and the clerk deal with cases, their decisions coming up for confirmation at the ensuing meeting of the committee. Industrial school cases at the police court consist of those brought forward by the police and of cases where, under school attendance orders, etc., action is taken by the school authority.

For general application see *Industrial Schools*, page 126, and *Industrial Schools Acts*, pages 466 to 491.

(4) *Cruelty to Children*.—Where it is desirable to punish parents for systematic cruelty to children, or in default of any special local powers, for allowing their children to be engaged in street hawking, etc., proceedings may be taken under Section 2 of the Prevention of Cruelty to Children Act, 1894. See *Cruelty to Children*, pages 67 and 492.

**Popular Education in England and Wales during the Nineteenth Century.** See page 304.

**Population.** Sec. 23. Population for the purposes of this Act shall be calculated according to the census of nineteen hundred and one. Act of 1902.

**Prevention of Cruelty to Children.**—See page 67, and page 492.

**Prizes.**—The provision of school prizes has been held by the Law Officers of the Crown to be a legal charge on the school funds, and the Local Government Board have reversed, on appeal, a disallowance of the cost of medals with clasps.

The following is the scheme of prizes in the day and evening schools of the Manchester School Board:—

REGULATIONS FOR THE AWARD OF PRIZES AND CERTIFICATES BY THE BOARD.

*Day Schools.*

A prize will be given to each child present on the day of the Government Inspection who has obtained during the year:—

- (a) Children in the standards, 400 or more marks for early attendance.
- (b) Infants, 350 or more marks for early attendance.

The condition in each case being that early marks are given only for attendance at 9 a.m. and 2 p.m.

The following to be the value of the prizes:—

|  |  | Value of Prize. |
|--|--|-----------------|
| Infants (gross value), according to age... |  | 6d. and 9d.     |
| Standard I.....                            |  | 1s. 0d.         |
| „ II. ....                                 |  | 1s. 6d.         |
| „ III. and IV.....                         |  | 2s. 0d.         |
| „ V. ....                                  |  | 2s. 6d.         |
| „ VI. ....                                 |  | 3s. 6d.         |
| „ VII. and Ex-VII. ....                    |  | 5s. 0d.         |

Certificates of Merit will be presented to all children who have attended the whole of the meetings of the school during the school year.

Certificates will be presented to children who have passed an Examination in reading, writing, and arithmetic, according to Standard VI. or VII. of the Code.

*Evening Schools.*

Prizes were awarded to the scholars in the Evening Continuation Schools for regular and punctual attendance in accordance with the following scheme, which was adopted by the Board in July, 1894:—

1. A prize equal in value to 5s., or the fees paid by any scholar taking a prize, will be awarded to each scholar making 90 per cent of the possible attendances during the Session, provided such scholar qualifies to earn grant in five subjects, and, in the case of boys, is present at the examination in drawing.

2. A prize equal in value to 3s., or half the fee paid by any scholar taking a prize, to be awarded to each scholar making 75 per cent of the possible attendances during the Session, provided such scholar, in the case of boys, is present at the drawing examination.

3. Such prize may take the form of a Post-office Savings Bank account of the stated value.

**Prosecutions under Education Acts.**—See Police Court Procedure, page 190.

**Provisional Orders and Schemes.**—Section 21. (1) Sections 297 and 298 of the Public Health Act, 1875 (which relate to Provisional Orders), shall apply to any provisional order under this Act as if it were made under that Act, but references to a local authority shall be construed as references to the authority to whom the order relates, and references to the Local Government Board shall be construed as references to the Board of Education.

(2) Any scheme or provisional order under this Act may contain such incidental or consequential provisions as may appear necessary or expedient.

(3) A scheme under this Act when approved shall have effect as if enacted in this Act, and any such scheme or any provisional order made for the purposes of such a scheme may be revoked or altered by a scheme made in like manner and having the same effect as an original scheme.—(Act of 1902.)

### Public Elementary Schools.

Sec. 22.—(1) In this Act and in the Elementary Education Acts the expression "elementary school" shall not include any school carried on as an evening school under the regulations of the Board of Education.—(Act of 1902.)

Sec. 22.—(2) The power to provide instruction under the Elementary Education Acts, 1870 to 1900, shall, except where those Acts expressly provide to the contrary, be limited to the provision in a public elementary school of instruction given under the regulations of the Board of Education to scholars who at the close of the school year will not be more than sixteen years of age. Provided that the local education authority may, with the consent of the Board of Education, extend those limits in the case of any such school if no suitable higher education is available within a reasonable distance of the school.—(Act of 1902.)

An elementary school becomes a public elementary school by being conducted in accordance with Section 7 of Act of 1870.

The Code of Regulations for Day Schools defines an "elementary school" and a "public elementary school" in Articles 3, 3a, and 4.

#### *Elementary School.*

3.—The term "elementary school" means "a school or department of a school at which elementary education is the principal part of the education there given, and does not include any school or department of a school at which the ordinary payments in respect of the instruction, from each scholar, exceed ninepence a week."—(Elementary Education Act, 1870, sec. 3.)

The "ordinary payment" for each scholar must cover all the instruction given in the school; and will, as a rule, be found by dividing the total amount of fees payable for any week by the number of scholars on the registers for that week. But if more than one-third of the scholars pay fees exceeding ninepence a week the "ordinary payment" will be considered to exceed ninepence a week. The term "payments in respect of the instruction" means the fee payable by the parent, and does not include any payment for the purchase of books or other

such articles. But a weekly or other periodical payment for the use of books or other school requisites, if required as a condition of admission to the school, is treated as a fee.

3a.—Wherever the word "school" appears in this code, it is to be held to include "department of a school." For the purposes of this Code the Board have power to decide whether a part of a school is or is not a department.

*Public Elementary School.*

4.—The term "public elementary school" is defined by the Elementary Education Act, 1870, sec. 7, which is as follows:—

"Every elementary school which is conducted in accordance with the following regulations shall be a public elementary school within the meaning of this Act; and every public elementary school shall be conducted in accordance with the following regulations (a copy of which regulations shall be conspicuously put up in every such school): namely—

- "(1) It shall not be required, as a condition of any child being admitted into or continuing in the school, that he shall attend or abstain from attending any Sunday school or any place of religious worship, or that he shall attend any religious observance or any instruction in religious subjects in the school or elsewhere, from which observance or instruction he may be withdrawn by his parent, or that he shall, if withdrawn by his parent, attend the school on any day exclusively set apart for religious observance by the religious body to which his parent belongs:
- "(2) The time or times during which any religious observance is practised, or instruction in religious subjects is given at any meeting of the school shall be either at the beginning or at the end, or at the beginning and the end of such meeting, and shall be inserted in a time table to be approved by the Education Department, and to be kept permanently and conspicuously affixed in every schoolroom; and any scholar may be withdrawn by his parent from such observance or instruction without forfeiting any of the other benefits of the school:
- "(3) The school shall be open at all times to the inspection of any of His Majesty's Inspectors, so, however, that it shall be no part of the duties of such Inspector to inquire into any instruction in religious subjects given at such school, or to examine any scholar therein in religious knowledge, or in any religious subject or book:
- "(4) The school shall be conducted in accordance with the conditions required to be fulfilled by an elementary school in order to obtain an annual Parliamentary grant."

Public elementary schools, in order to qualify for the receipt of Parliamentary grants, must fulfil the conditions of the Day School Code.

*Children not to be Refused Admission.*

(78) No child may be refused admission as a scholar on other than reasonable grounds.

*Time Table, and, in Board Schools, Fees to be Approved.*

(79) The time table must be approved for the school by the Inspector on behalf of the board, and must be open at any reasonable time, except the ordinary school hours, to the inspection of the



parent of any scholar attending the school, who makes a written application to see it. In a school provided by a school board, the consent of the board must be given to the weekly fee (if any) prescribed by the board.—(Elementary Education Act, 1870, sec. 17.)

*School not to be Unnecessary.*

(80) The school must not be unnecessary.

In a district not under a school board a school is not deemed to be unnecessary if at the date of its application for an annual grant it is recognised as a certified efficient school, and has had during the twelve months preceding such application an average attendance of not less than 30 scholars. A school will not be allowed the benefit of this provision if it is available for the same population as another school receiving a special grant under Art. 104 or Art. 105.

*Not an Adventure or Farmed School.*

(81) The school must not be conducted for private profit, and must not be farmed out by the managers to the teacher. The managers must be responsible for the payment of teachers and all other expenses of the school.—(Altered by Act of 1902.)

*Teacher Certificated.*

(82) The principal teacher must be certificated.

*Exceptions:—*

- (a) A school with an average attendance of not more than 50 scholars may receive an annual grant if the principal teacher is provisionally certificated.
- (b) A school with an average attendance of not more than 40 scholars may receive an annual grant if the principal teacher is qualified under Article 50 or 51, provided that the Inspector reports (i.) that such teacher is specially fitted to take charge of the school in question, and (ii.) that the circumstances of the school are such as to make it difficult to obtain the services of a certificated teacher.
- (c) A school previously in receipt of annual grants may continue to receive them for not more than three months of the time (exclusive of the ordinary holidays) occupied by any interval or intervals in any school year, between the leaving of one and the coming of another teacher qualified under this Code to have charge of it, provided the school is kept open and the registers are duly marked during the interval.

*Minimum Number of Meetings.*

(83) A school must have met not less than 400 times in a year.

*Exceptions:—*

- (a) If a school claiming an annual grant for the first time has not been open for a whole year, or, if a school has been closed during the year under medical authority or for any unavoidable cause, a corresponding reduction is made from the number of meetings required by this Article.
- (b) If school premises are temporarily used under section 6 of the Ballot Act, 1872, for an election, or under any other statutory power, the number of meetings which would in ordinary course have been made had the school premises not been so used may, if necessary, be counted in making up the required number of meetings of the school.
- (c) In the cases of Greenwich Hospital and of marine schools this article will not be applied.

*Visits and Report of Inspector.*

84. (a) The school must have been visited and reported on by an Inspector. The Inspector will, as a rule, pay two visits during the school year, which will usually be without notice. Additional visits may also be paid either with or without notice.

(b) If a continued epidemic or other cause accepted as satisfactory by the Board prevents, wholly or partially, such visit and report, the grants are, as a rule, paid at the same rates as those last previously paid. For any subject in respect of which no grant was claimed in the last preceding school year, the grant shall be at a rate determined by the Board, not exceeding the highest rate allowable for that subject under this Code.

*Conditions Relating to (a) Premises, Staff, Furniture, and Apparatus.*

(85) The Board must be satisfied:—

(a) That the school premises are healthy, are properly constructed and arranged for teaching, lighted, warmed, cleaned, drained and ventilated, are supplied with suitable offices, and contain sufficient accommodation for the scholars attending the school, and that the school has a sufficient staff (Article 73), and is properly provided with suitable desks and furniture, books, maps, and other apparatus of elementary instruction:

N.B.—The plans of all new school premises and enlargements must be approved by the Board before such new premises and enlargements are passed under this Article. The numbers for which such new premises and enlargements are passed will be settled by the Board. Subject to the conditions laid down in the body of this Article being fully satisfied, schools already receiving annual grants will be regarded as accommodating the number of scholars for which they have been hitherto recognised by the Board, provided that in no case there shall be less than 80 cubic feet of internal space and 8 square feet of internal area for each unit of average attendance. If in the neighbourhood of any school there is a deficiency of school accommodation, which is being supplied with due despatch, the accommodation of that school may with the consent of the Board be temporarily calculated at 80 cubic feet and 8 square feet for each unit of average attendance.

No room may be habitually used for a larger number of scholars than that for which it is passed by the Board:

*(b) Course of Instruction.*

(b) That the course of instruction is in accordance with Article 15 (a) or 15 (b), and has been approved by the Inspector on behalf of the Board:

*(c) Instruction of Infants.*

(c) That, as far as relates to the grant to an infant school or class, the infants are taught suitably to their age, and so as not to interfere with the instruction of the older scholars in the same school.

*(d) Registers, Accounts, and Certificates.*

(d) That the admission and daily attendance of the scholars are carefully registered by or under the supervision of the principal teacher, and periodically verified by the managers;

that accounts of income and expenditure are accurately kept by the managers and duly audited: and that all statistical returns and certificates of character are trustworthy:

- The accounts of the receipts and expenditure of every school not provided by a school board must be annually audited by a member of the Institute of Chartered Accountants, or of the Society of Accountants and Auditors, or by a banker or bank manager, or, on special application to the Board, by some other person, not being a manager or treasurer of the school, whose competency is proved to the satisfaction of the Board.
- In the Isle of Man the accounts of every school must be audited and certified by the auditor of the Board of Education for the island.

*(c) Employment of Teachers.*

- (c) That the principal teacher is not allowed to undertake duties not connected with the school which may occupy any part whatever of the school hours, or of the time appointed for the special instruction of pupil teachers.

*School must be Efficient.*

(86) The school or infant class must be efficient. A school or class regarded as satisfying this Article if the Inspector does not recommend the withholding of the grant under Article 98, or Article 101 (a). The grant will not be withheld under this Article until the following conditions have been fulfilled:—

- (1) The Inspector must, in his annual report, report the school or class inefficient, and state specifically the grounds of such judgment, and the Board must communicate the report to the managers and give formal warning to them that the grant may be withheld under this Article, if the Inspector again reports the school or class to be inefficient.
- (2) The Inspector must, in his next annual report, and after a visit paid with due notice during the last month of the school year, again report the school or class inefficient, and again state specifically the grounds of such judgment.
- (3) If the managers within fourteen days after the receipt of the second adverse report of the Inspector appeal against his decision, the school must be visited and such adverse report must be confirmed by a Chief Inspector.

*Managers' Returns.*

(87) All returns called for by the Board or by Parliament must be duly made.

The annual return to be made to the Board (Art. 23) contains a form of authority, to be signed by three persons (none of whom may be a paid teacher in the school), empowering one of their number, or a firm of bankers, to sign the order on His Majesty's Paymaster-General for any annual grant made to the school. In a school provided by a school board this authority is not required, but the order must be signed by the Treasurer of the School Board.

*Inspector to have Timely Notice of all Closures.*

(87\*) Notice must be sent to the Inspector, as soon as is possible in each case, of every date upon which the school will be closed, or its ordinary work suspended, during the year. These dates should include the usual and any special holidays, and any closure on

account of epidemic sickness, local elections, and such occasions as the Diocesan Inspection.

In the event of failure to give such notice a deduction not exceeding £1 may be made from the next annual grant.

This article is not intended to limit the discretion of managers in closing a school temporarily in the event of a sudden emergency.

*Compliance with Order to Close School.*

(88) The managers must at once comply with any notice of the sanitary authority of the district in which the school is situated, or any two members thereof acting on the advice of the Medical Officer of Health, requiring them for a specified time, with a view to preventing the spread of disease, or any danger to health likely to arise from the condition of the school, either to close the school or to exclude any scholar from attendance, but after complying they may appeal to the Board if they consider the notice to be unreasonable.

*School Accounts to be Published, and Report to be open to Inspection.*

(89) Immediately on the receipt of the annual report of the Inspector, the managers must publish the last account of income and expenditure furnished to the Board by posting a copy thereof on the door of the school or in some other public place in the school district, and keeping the same so posted for not less than fourteen consecutive days exclusive of Sundays and holidays. They must also publish in the same manner and for the same days a notice that the said account and the report will be, during the six months following the date of the notice, open to inspection at the school or some other convenient place (named in the notice) at any reasonable time except the ordinary school hours, and that copies or extracts may be made, and must submit the same to inspection, and permit such copies or extracts to be made accordingly.

*Application of Income of School.*

(90) The income of the school must be "applied only for the purpose of public elementary schools."—(Elementary Education Act, 1876, sec. 20.)

*Students from Training Colleges to be Admitted.*

(91) The managers must, if requested by the authorities of a training college, allow students from the college to attend the school for the purpose of practical instruction in teaching on such conditions as may be approved by the Board.

*Power to Warn instead of Withholding Grant.*

(92) In cases where any of the conditions of annual grants set forth in this Code (except such conditions as are specially imposed by Act of Parliament) are not fulfilled, the Board have power, after considering all the circumstances, to pay the grant or a portion of the grant, and give a warning to the managers that the grant may be withheld next year.

*Commencement of Grant.*

(93) The annual grant to a school begins to run, as a rule, from the date at which the school is placed under a teacher qualified under this Code to have charge of it; but if application for a grant is not made within six months after such date the Board may refuse to make a grant for any time previous to the receipt of the application.



*Date of Payment.*

(94) The annual grant becomes due at the end of the school year, and is paid as soon afterwards as may be, but an instalment of the grant may be paid when owing to a change in the date of the school year, or any other sufficient cause, the time at which the grant would otherwise be payable is delayed by three months or more.

Where a grant is payable for a school which has been closed, the amount of such grant shall not, as a rule, exceed the amount of the net outstanding liabilities on current account of the school at the time of its closing.

After the appointed day all Parliamentary grants and other receipts\* of all schools will be paid to the local education authority, and if the local authority so desire they may make such arrangements for the keeping of the accounts of the schools as will relieve the managers of the keeping of the same.

**Public Inquiry.**

SEC. 23.—(10) The Board of Education may, if they think fit, hold a public inquiry for the purpose of the exercise of any of their powers or the performance of any of their duties under this Act; and section seventy-three of the Elementary Education Act, 1870, shall apply to any public inquiry so held or held under any other provision of this Act.—(Act of 1902.)

A public inquiry by the Board of Education is governed by Section 73 of the Act of 1870. Summary of provisions:—

(1) The Board appoints some person (usually an inspector) to hold the inquiry.

(2) The person appointed shall hold a sitting or sittings in some convenient place in the neighbourhood of the school district to which the subject of the inquiry relates. He hears evidence and inquires into representations, objections, etc. Seven days' notice of the time and place must be published by the Board of Education.

(3) The person appointed reports result of inquiry, in writing, to the Board of Education, together with his opinion. The Board then forwards copies of report to the local education authority.

(4) The costs of the inquiry are to be paid as directed by the Board of Education, and applicants may be required to give security for same.

Local Government Board Inquiries are governed by Section 23 (9) of the Act of 1902:—

SEC. 23.—(9) Sub-sections one and five of section eighty-seven of the Local Government Act,† 1888 (which relate to local inquiries), shall

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\* Except sums specially applicable for purposes for which provision is to be made by the managers.

† SEC. 87.—(1) Local Government Act, 1888, makes applicable Sections 293 to 296 both inclusive of the Public Health Act, 1875, and the last-named sections give power to the Local Government Board to hold inquiries (Sec. 293), to apportion costs (Sec. 294), to make binding and conclusive orders (Sec. 295), to examine witnesses, etc. (Sec. 296).

apply with respect to any order, consent, sanction, or approval which the Local Government Board are authorised to make or give under this Act.—(Act of 1902.)

Sec. 87.—(5) Local Government Act, 1888, deals with cost of inquiry and makes councils, etc., liable for same in such proportions as the Board may direct. The salary of the officer holding the inquiry to be included in the costs, but not to exceed £3 3s. a day.

**Public Works Loan Commissioners.**—A department of the Government dealing with loans to local authorities. School boards have largely availed themselves of power to borrow money from the Commissioners for the provision of schools, offices, etc.

The rates of interest charged by the Public Works Loan Commissioners are: For loans repayable in 30 years,  $3\frac{1}{4}$  per cent per annum; 40 years,  $3\frac{1}{2}$  per cent; 50 years,  $3\frac{3}{4}$  per cent. These rates may be altered by Treasury Minute.

The following are the fees charged by Commissioners to borrowers:—

"The fees or sums to be paid by the applicants pursuant to Sec. 41 of the Public Works Loans Act, 1875, in respect of loans on rates, shall not exceed the following sums, viz.:

"On loans not exceeding £2,000, £1 1s. for every £100 of such loan.

"On loans exceeding £2,000 and not exceeding £25,000, £21, plus 2s. 6d. for every £100 by which such loan exceeds the sum of £2,000.

"On loans exceeding £25,000, £50.

"Where a loan is advanced by instalments secured by one deed, there shall be paid in respect of each advance after the first an additional fee of £1 1s. for every £100 of such advance, but not exceeding £3 3s.

"For the purpose of this regulation the total amount to be advanced under one security deed shall be considered as a loan, and fractional parts of £100 shall be considered as £100.

"In addition to the above fees the applicants shall pay the stamp duty, counsel's fees, and other disbursements incurred by the Loan Commissioners in respect of the several applications.

"In respect of all business, not being a loan on rates, the fees or sums payable shall be fixed by the Commissioners, regard being had to each particular case."

**Pupil Teachers.**—For Code Regulations see Teachers, pages 269 and 271 to 273.

**Pupil Teachers' Centres.**—In the principal school districts pupil teachers have now for a considerable period received their instruction at properly organised centres, instead of from the principal teachers at their own schools. Article 36 of the Day School Code provides:—

36 *Central Classes*.—Central classes for the instruction of pupil-teachers must be open at all times to the inspection of any of the Inspectors of the Board, and the Board must be satisfied with the premises and general arrangements. The names of all teachers employed in such classes must be notified to the Board, and the time-table must be approved by the Inspector.

Central classes will not be recognised for the purpose of Article 63 or of the Elementary School Teachers' Superannuation Rules, 1899, unless five meetings of not less than two hours each are held in the morning or afternoon in each week.

Pupil-teachers may receive their instruction in secondary schools under conditions approved by the Board.

The Revised Instructions require that—

A pupil-teacher centre should be accessible and situated in a decent neighbourhood: the premises should be suitable, with sufficient cloak and lavatory accommodation, and in mixed centres the same precaution as to separate entrances and separate cloakroom and lavatory accommodation should be taken as in the case of mixed schools.

The centre should be under the charge of a responsible principal, who should give his whole time to the centre while the classes are being held. A staff, consisting of more than two persons, should, as a rule, include one or more persons who have had some training or experience of teaching in secondary schools. In all centres where girls are taught, at least one-half of the permanent staff should be women, and unless the principal is a woman, the senior woman teacher on the staff should, under the direction of the principal, be made specially responsible for the discipline and conduct of the girls.

The managers of pupil teachers' centres are required to send annual returns, on the 31st of July, to the Board of Education, giving the more important particulars regarding the classes, and H.M. Inspectors report annually to the Board of Education. This report is communicated to the managers.

#### PUPIL TEACHERS' CENTRES.

The following information is of interest as showing the method of organisation and the cost of carrying on two centres for the instruction of pupil teachers conducted by a school board:—

##### INSTRUCTION OF PUPIL TEACHERS.

*Establishment of the Pupil Teachers' Centres*.—In January, 1890, the Board adopted the system of centre classes for the instruction of pupil teachers, and in March of the same year commenced operations in hired premises.

The system was further developed in 1892, when the Board decided that practically all the secular instruction should be given at the centres. The immediate result was the division of the district into two parts—North and South—and the establishment of a new centre in premises purchased by the board. One centre was then reserved for pupil teachers of the Northern Division, and one other for those of the Southern Division.

## INSTRUCTION.

1. *Ordinary Instruction.*—The following is a brief summary of the scheme of instruction for pupil teachers now in operation:—

The candidates and pupil teachers are divided into two sections, *i.e.*, juniors and seniors (in last two years).

Juniors are required to attend six half-days and Saturday mornings; seniors, four half-days and Saturday mornings.

MORNING, 9 to 12.

AFTERNOON, 2 to 5.

|                 |                      |                                 |
|-----------------|----------------------|---------------------------------|
| MONDAY .....    | Juniors.....         | Seniors.                        |
| TUESDAY.....    | Juniors.....         | Seniors, Religious Instruction. |
| WEDNESDAY ..... | Seniors.....         | Juniors.                        |
| THURSDAY .....  | Seniors.....         | Juniors.                        |
| FRIDAY .....    | Juniors.....         | Juniors, Religious Instruction. |
| SATURDAY .....  | Juniors and Seniors. |                                 |

The pupil teachers receive the whole of their ordinary instruction at the centres, with the exception that the principal teachers of the day schools are still held responsible for their instruction in the principles and practice of school management, and (for girls) in needlework. An examination in secular knowledge is held each year by the Board's inspectors of schools, and printed copies of the result are issued to all concerned.

NOTE.—The indentures of all pupil teachers in the employ of this school board commence from the 1st July.

2. *Religious Instruction.*—In 1894 the Board resolved that the religious instruction of pupil teachers should be given at the centres, instead of by the principal teachers of the schools. (See foregoing time-table.) An examination in religious knowledge is held each year by the Board's inspectors of schools, and the result is printed and issued.

3. *Art Instruction.*—Under the scheme of co-ordination between the School Board and the City Council, adopted in January, 1897, arrangements were made for giving instruction in drawing to the pupil teachers at the Municipal School of Art. This arrangement commenced in October, 1897. The pupil teachers attend on Saturday mornings.

4. *University Extension Lectures.*—The Code of Regulations for Day Schools having provided that marks shall be given to candidates for King's Scholarships presenting University Extension Certificates, the Board, since 1895, have arranged for courses of lectures to pupil teachers in last year, in connection with the University Extension Committee of the Victoria University.

## EXAMINATION RESULTS.

1. *The King's Scholarship Examination.*—The results have been most satisfactory.





Account of the Income and Expenditure of the Southern Pupil Teachers' Centre for the year ended 30th June, 1902 :—

| INCOME.                    |       |       | EXPENDITURE.                                |       |       |
|----------------------------|-------|-------|---|-------|-------|
|                            | £     | s. d. |   | £     | s. d. |
| To Grants, Science and Art | 174   | 0 0   | By Salaries .....                           | 1142  | 17 11 |
| Rates .....                | 1407  | 14 2  | Books and Stationery                        | 286   | 14 3  |
| Fees and Books .....       | 50    | 14 2  | Apparatus & Furniture                       | 34    | 4 9   |
| From other Sources ...     | 62    | 6 5   | Fuel, Light, and Clean-<br>ing .....        | 125   | 7 3   |
|                            |       |       | Repairs to Buildings<br>and Furniture ..... | 41    | 12 3  |
|                            |       |       | Rates, Taxes, and<br>Insurance .....        | 33    | 3 0   |
|                            |       |       | Other Expenses, viz.:                       |       |       |
|                            |       |       | Grants Repaid....                           | 16    | 14 5  |
|                            |       |       | Prizes .....                                | 6     | 13 3  |
|                            |       |       | Examination<br>Papers .....                 | 2     | 2 8   |
|                            | £1694 | 14 9  |   | £1694 | 14 9  |

|  | £     | s. | d. |
|--|-------|----|----|
| Cost to Rates (Northern Centre) .. . . . | 1,455 | 15 | 0  |
| Do. (Southern Centre, .....              | 1,407 | 14 | 2  |
| Gross Cost to Rates .....                | 2,863 | 9  | 2  |
| Less P. T. Grants under Code .....       | 1,029 | 0  | 0  |
| Total Net Cost to Rates .....            | 1,834 | 9  | 2  |

Total number under instruction at the two centres, 821.

Average net cost for each pupil teacher per annum, £2 4s. 8d.

**Quantities.**—(See School Planning, page 239.)

**Qualifications of Teachers.**—These are fixed by the Board of Education in the Day School Code so far as public elementary schools are concerned. (See Teachers, page 269.) For classes of teachers and the numbers they are reckoned for on school staffing, see Staffing of Schools, page 255.

**Ratepayers.**—Ratepayers are persons whose names appear in the occupiers' column of the Rate Book.

#### *Expenses.*

#### **Rates.**

SEC. 18.—(1) The expenses of a council under this Act shall, so far as not otherwise provided for, be paid, in the case of the council of a county, out of the county fund, and in the case of the council of a borough out of the borough fund or rate, or, if no borough rate is levied, out of a separate rate to be made, assessed, and levied in like manner as the borough rate, and in the case of the council of an urban district other than a borough in manner provided by section

thirty-three of the Elementary Education Act, 1876, as respects the expenses mentioned in that section: Provided that—

- (a) The County Council may, if they think fit (after giving reasonable notice to the overseers of the parish or parishes concerned), charge any expenses incurred by them under this Act with respect to education, other than elementary, on any parish or parishes which in the opinion of the council are served by the school or college in connection with which the expenses have been incurred; and
- (b) the County Council shall not raise any sum on account of their expenses under Part Three of this Act within any borough or urban district, the council of which is the local education authority for the purposes of that part; and
- (c) the County Council shall charge such portion as they think fit, not being less than one-half or more than three-fourths of any expenses incurred by them in respect of capital expenditure or rent on account of the provision or improvement of any public elementary school on the parish or parishes which in the opinion of the council are served by the school; and
- (d) the County Council shall raise such portion as they think fit, not being less than one-half or more than three-fourths of any expenses incurred to meet the liabilities on account of loans or rent of any school board transferred to them exclusively within the area which formed the school district in respect of which the liability was incurred so far as it is within their area.—(Act of 1902.)

SEC. 23.—(4) The amount which would be produced by any rate in the pound shall be estimated for the purposes of this Act in accordance with regulations made by the Local Government Board.—(Act of 1902.)

**Rating of Schools.** Non-provided schools are exempt from payment of rates, but not teachers' houses.—Sec. 3 of Act of 1897.

Provided schools are subject to liability for rates. In the case of board schools the inequalities of rating have engaged the attention of the Association of School Boards. The following report gives particulars of the way these schools have been dealt with by the rating authorities of different localities:—

For the purpose of finding to what extent board school premises are assessed for local rates, and the principles governing such assessments, inquiries were addressed to a large number of boards in the association.

The replies which have been received may generally be divided into three classes—(1) where the value of land and buildings, or of buildings exclusive of land, or estimated annual rent, forms the basis of assessment; (2) where the accommodation is taken as a basis; and (3) assessments without any discoverable basis.

No reference by name is made in this summary to boards sending information, this having been put as a request in one reply. Several boards express a contented acquiescence with present conditions, lest a worse thing befall them.

The following are instances of assessments coming under Class I. :—

| Accommodation. | Cost of land and building. | Gross assessment. |                | Less. |                 | Net rateable value. |
|----------------|----------------------------|-------------------|----------------|-------|-----------------|---------------------|
|                | £                          | £                 | s.             | £     | s.              | £                   |
| 1,000          | 15,278                     | 458               | 0 (3 per cent) | 69    | 0 (15 per cent) | 389                 |
| 1,041          | 16,341                     | 490               | 5 (3 " )       | 81    | 15              | 408·10              |
| *1,124         | 15,395                     | 474               | 0 (3 " )       |       |                 | 474                 |
| *1,036         | 13,409                     | 270               | 0 (2 " )       |       |                 | 270                 |
| 1,000          | 10,448                     | 164               | 0 (1½ " )      |       |                 | 164                 |
| 1,091          | 8,666                      | 260               | 0 (3 " )       | 52    | 0 (20 " )       | 208                 |
| †1,085         | †12,000                    | 288               | 0 (2½ " )      |       |                 | 288                 |
| ‡945           | ‡13,564                    | 397               | 0 (3 " )       |       |                 | 397                 |

In one case it is the practice to ascertain the capital value of the land and the buildings, and to calculate upon each a percentage for the gross value, the rateable value being obtained by deducting one-sixth. The following is an example of a school for about 1,000 children: Value of land, £3,175, at 4 per cent; of buildings, £12,413 at 5 per cent; total gross £747, less one-sixth, £623 net rateable value.

In another town all the board schools are held to have a rateable value of £600 (the principle being to take 3 per cent of an estimated value of £20,000). The net rateable value is arrived at by deducting one-sixth.

Another system is to fix the assessment at about 1 per cent on the cost of erection; but it is explained that a revision is under consideration which will probably raise it to 3 or 4 per cent.

One instance is given of the estimated annual rent being adopted as a basis of assessment. This, for a school of 642 children, is estimated at £114 1s. 3d., the net rateable value being taken at four-fifths, equal to £91 5s.

The following are examples coming under Class 2, where the accommodation is taken as a basis of assessment:—

| Accommodation. | Gross, with amount per head. | Deduction. | Net rateable value. |
|----------------|------------------------------|------------|---------------------|
| 1,000          | 50 (1s. per head)            |            | £                   |
| §1,200         | 100 (1s. 8d. per head)       | One-sixth  | 42                  |
| §1,200         | 25 (5d. per head)            | —          | 100                 |
| 1,234          | 50 (9½d. per head)           | —          | 25                  |
| 1,000          | 100 (2s. per head)           | One-sixth  | 50                  |
|                |                              |            | 83                  |

\* Under one Board, and showing variation in assessment by different rating authorities.

† Exclusive of site. ‡ Site, building, and furniture.

§ Schools under one Board, higher rate in centre of city.



In one town the board schools of the central parish are assessed at 5s. per head of accommodation. In other parishes of the same district the assessments are irregular.

Another practice is to fix the rateable value at 1s. 8d. per unit gross, and 1s. 6d. per unit net. Here the rateable value of a school for 1,000 children would be £75. The Central Higher Grade School in this town is, however, assessed at £234.

With another board the assessments in one district are at the rate of 3 per cent upon an amount equal to £15 per child in higher grade schools and £10 per child in ordinary schools. In another district under the same board the rate is about  $4\frac{1}{2}$  per cent on £11 per child. In both cases one-fifth is deducted.

The following are instances under Class 3 where the assessments are laid upon a rule unknown to the boards affected:—

| Accommodation. | Net rateable value. |
|----------------|---------------------|
| { *1,000 ..... | £12 to £15          |
| { *1,000 ..... | £60 to £80          |
| { +1,665 ..... | £400                |
| { +1,655 ..... | £120                |
| 1,377 .....    | £21 10s.            |
| 893 .....      | £4                  |
| { +1,061 ..... | £48                 |
| { +298 .....   | £12                 |
| { +496 .....   | £15                 |
| { +1,143 ..... | £163                |
| { +1,093 ..... | £198 16s.           |
| { +1,080 ..... | £185                |
| { +806 .....   | £113                |
| { +1,605 ..... | £185                |
| { +1,710 ..... | £171                |
| { +1,231 ..... | £110                |
| { +915 .....   | £52 10s.            |
| { +1,113 ..... | £78                 |
| { +941 .....   | £120                |
| { +1,045 ..... | £116                |
| { +1,976 ..... | £157                |
| { +1,480 ..... | £262                |

Three of the Boards sending in returns are not assessed for local rates.

**Reformatory Schools.**—Certified by the Home Office for detention of delinquents, as a rule, beyond the ordinary school age. Cases for reformatory schools are dealt with by the police.

**Refusal of Grants.**—See Sec. 98 of Act of 1870 and Table of Grants, page 111.

\* Under one Board, showing variation between old and new schools.

† Shows variation in groups of schools under one Board.

**Registration of Teachers.**—The office of the Registrar of the Teachers' Registration Council is 49, Parliament Street, London, S.W.

*Order in Council of March 6th, 1902:—*

THE REGISTRATION COUNCIL.

1. For the purpose of forming and keeping such register of teachers, there shall be established a registration authority, called the Teachers' Registration Council, and in this order referred to as the council, which shall consist provisionally of twelve members, of whom six shall be appointed by the President of the Board of Education, and of the remaining six one member shall be appointed by each of the following bodies:—

The Conference of Head Masters.

The Incorporated Association of Head Masters.

The Association of Head Mistresses.

The College of Preceptors.

The Teachers' Guild of Great Britain and Ireland.

The National Union of Teachers.

2. The members so appointed shall hold office for three years from the date of this Order.

3. On a casual vacancy occurring in the council during the said period of three years, the authority by whom the member whose seat is vacated was appointed shall appoint another member in his place.

4. The first appointments of members of the council shall be made not later than the first day of April, one thousand nine hundred and two, and each appointing authority shall as soon as may be after making the appointment communicate to the Board of Education the name and address of the person appointed by them.

5. The first meeting of the council shall be convened by the Board of Education, and that Board may take such steps as they think necessary for the purpose.

6. After the expiration of three years from the date of this Order, the constitution of the council shall be such as may hereafter be provided by Order in Council.

7. If any member of the council is adjudged bankrupt, or makes a composition or arrangement with his creditors, or is absent from meetings of the council for more than twelve months consecutively, except in case of illness, or for some reason approved by the council, his office shall become vacant.

8. The council may appoint committees, and delegate, with or without conditions or restrictions, any of their powers and duties to any committee so appointed, and may regulate the procedure and conduct of business of the council, and of any committee so appointed.

9. No act or proceeding of the council, or of a committee of the council, shall be questioned on account of any vacancy in their body.

10. The council shall establish and keep a register of teachers in accordance with the regulations contained in the schedule in this Order, as framed by the consultative committee, and approved by the Board of Education, and with such other regulations as may from time to time be framed and approved in like manner.

11. Subject to the approval of the Board of Education, the council may provide an office and appoint a registrar, and appoint or employ such other officers and persons as may be required for the execution of their duties, and may assign to any person so appointed or employed such remuneration as may be approved by the Board.

12. All fees payable in respect of registration and matters incidental thereto, as fixed by or under the said regulations, shall be carried to a registration fund, and the expenses of the council shall be paid out of such fund.

13. There may be paid to the members of the council out of the registration fund such fees for attendance at meetings and such allowance for travelling expenses as may be approved by the Board of Education.

14. The accounts of the council shall be audited and published by or under the direction of the Board of Education.

15. The council shall make a report of their proceedings once a year to the Board of Education.

#### REGULATIONS FOR THE FORMATION OF A REGISTER OF TEACHERS.

1. As soon as may be after the establishment of the registration authority there shall be established a register of teachers (hereinafter called "the register"), in which the name of every registered teacher shall be set forth in alphabetical order.

In addition to this alphabetical list there shall be two columns distinguished as Column A and Column B.

Column A shall contain the names of all persons for the time being recognised by the Board as certificated teachers under the Code of Regulations for Elementary Day Schools.

Column B shall contain the names of all persons who fulfil the conditions of registration hereinafter set forth.

There shall also be recorded in the register in respect of each teacher, when registered therein, his postal address, the date of his registration, and a brief statement of his qualifications and teaching experience, in the following form :—

| Alphabetical List. | Column A. | Column B. | Address. | Date of Registration. | Qualifications. | Experience. |
|--------------------|-----------|-----------|----------|-----------------------|-----------------|-------------|
|                    |           |           |          |                       |                 |             |

Additional qualifications and experience may be added from time to time, when verified by the registration authority.

2. A person shall be entitled to be placed on Column B of the register of teachers if he satisfies the registration authority that he fulfils the conditions set forth in regulation 3; or if he applies at any time within three years from the establishment of the registration authority to be placed on the Column B of the register and satisfies the registration authority that he fulfils the conditions set forth in regulation 4.

3. A person shall be entitled to be placed on Column B of the register if he fulfils the following conditions :—

(1) He must have obtained a degree conferred by some university of the United Kingdom, or have obtained one of the diplomas or certificates mentioned in Appendix A to these regulations, or have attained some other approved standard of general education.

(2) He must either—

(i.) have resided and undergone a course of training for at least one year at one of the universities or training colleges mentioned in Appendix D to these regulations, or some other recognised institution for the training of secondary teachers, and have passed the examination for one of the diplomas or certificates in the theory and practice of teaching mentioned in Appendix C to these regulations; or

(ii.) have passed an approved examination in the theory of teaching, have spent at least one year as a student teacher under supervision at a recognised school (not being an elementary school), and have produced evidence of ability to teach.

(3) He must have spent at least one year of probation as a teacher at a recognised school (not being an elementary school), and must satisfy the registration authority that he has shown fitness for the teaching profession.

4. A person shall be entitled to be placed on Column B of the register if at any time within three years from the establishment of the registration authority he makes application to be so placed, and fulfils the following conditions:—

(1) He must have obtained a degree conferred by some university of the United Kingdom, or must show to the satisfaction of the registration authority that he has obtained one of the diplomas or certificates, or has passed one of the examinations mentioned in Appendices A and B to these regulations, or has attained some other approved standard of general education; and

(2) He must either—

- (i.) have been engaged during the three years next preceding his application as a teacher at a recognised school or schools (not being an elementary school or schools); or
- (ii.) have passed the examination for one of the diplomas or certificates in the theory and practice of teaching mentioned in Appendix C to these regulations, and produce evidence satisfactory to the registration authority of experience in teaching (other than the teaching in an elementary school, or teaching of a purely elementary character) extending over a period of not less than three years.

Provided that a headmaster or headmistress of a recognised school, not being an elementary school, shall be entitled on application to be placed on Column B of the register without fulfilling the above conditions, if the applicant has held the office for at least one year previous to the date of his application.

5.—(1) The registration authority may place on Column B of the register the name of any person who does not fulfil all the conditions of registration, but who, in their opinion, would have fulfilled all the necessary conditions but for the fact—

- (a) That part of the period of his study or training was spent in an approved course of study or training at a foreign university, college, or school; or
- (b) that part of the period of his study, training, or probation was spent in original research certified to have been conducted under proper supervision, and to the satisfaction of the registration authority.

(2) The registration authority may, if they think fit, at any time within three years from the establishment of the registration authority, place on Column B of the register the name of any person who does not fulfil all the conditions of registration, but who has, in their opinion, proved himself to be an exceptionally qualified teacher.

(3) The registration authority shall report to the Board every three months the name of every person registered under this regulation, and the grounds of his registration.



## SUPPLEMENTAL REGISTERS.

6. There shall be annexed to the register supplemental registers of teachers of music, drawing, physical training, manual instruction, cookery, needlework, and such other special subjects as may be from time to time approved.

A person shall be entitled to be placed on a supplemental register if he produces evidence satisfactory to the registration authority—

- (i.) That he has acquired special knowledge of the subject after a thorough course of training;
- (ii.) That he is competent to teach the subject; and
- (iii.) That he has taught the subject for a period of not less than two years.

A person may be placed on one or more than one supplemental register whether he is or is not placed on the register.

The form of a supplemental register shall be the same as that of the register except that Columns A and B shall be omitted.

7. A person whose name is placed on one or more of the supplemental registers, but not on either column of the register, shall not be entitled to describe himself as a registered teacher without also indicating the supplemental register or registers on which his name is placed.

Any person proved to the satisfaction of the registration authority to have wilfully so described himself shall be liable to have his name removed from any supplemental register on which it is placed, and shall not be entitled for a period of two years to have his name placed on any register of teachers.

## GENERAL.

8. In the case of any person applying to be placed on Column B of the register, or any supplemental register, the registration authority may, if they think fit, and after giving the applicant an opportunity of being heard, refuse to register him on the ground that his moral character renders him unfit to be employed as a teacher.

9. The registration authority may at any time remove from Column B of the register, or from any supplemental register, the name of any person proved to their satisfaction, and after such person has had an opportunity of being heard, to have been guilty of felony or misdemeanour or of conduct unbefitting a teacher.

10. Every person applying and qualified to be placed on Column B of the register, or on a supplemental register, shall, before he is so placed, pay to the registration authority the sum of twenty-one shillings. A further fee of two shillings and sixpence shall be paid by a teacher registered on Column B before any additional qualifications or experience is recorded on the register or any supplemental register.

11. No fee shall be payable for placing a person on Column A of the register, but if any person so placed applies to have registered any qualifications and experience other than those required by the Board from certificated teachers, he shall, before any such qualification or experience is recorded, pay the sum of two shillings and sixpence.

12. In approving or recognising a degree, diploma, certificate, examination, or other standard of education, for the purpose of Column B, or in recognising an institution for the purpose of training, or in approving subjects for a supplemental register, the Board shall act after taking the advice of the Consultative Committee.

13. The registration authority shall from time to time and at least once every year present a report of their proceedings to the Board, together with their observations on the working of these regulations.



14. The register and every supplemental register shall be published annually, and shall be open at any reasonable time to public inspection on the payment of the proper fee, and any person shall, on payment of the proper fee, be entitled to take copies of and make extracts from the register and any supplemental register, and to have delivered to him extracts from any such register certified by the registrar to be true.

The fees for the purpose of this regulation shall be such as may be fixed by the registration authority, with the approval of the Board.

15. In these regulations—

“The Board” means the Board of Education.

“Approved” or “recognised” means approved or recognised for the time being by the Board for the purpose of the regulation in which the expression is used.

The “registration authority” means the body to be established for forming and keeping the register.

16. These regulations may be from time to time modified and altered by regulations framed by the Consultative Committee with the approval of the Board.

#### APPENDIX A.

A Tripos certificate granted by the University of Cambridge to women.

A diploma or certificate showing to the satisfaction of the registration authority that the applicant, if a woman, has fulfilled all the conditions which, if the University of Oxford granted degrees to women, would entitle her to a degree in that University.

A diploma or certificate showing to the satisfaction of the registration authority that the applicant, if a woman, has fulfilled all the conditions which, if the University of Dublin granted degrees to women, would entitle her to a degree in that University.

The associateship of the Royal College of Science, London.

The associateship of the Central Technical College, London.

The fellowship of the College of Preceptors.

A special honours certificate of the Higher Local Examinations (Oxford and Cambridge), granted under the following conditions:—

- (i.) That the holder has passed in four groups or sections, and obtained a first or second class in at least two of them; and
- (ii.) That the certificate includes at least a pass in two languages, and at least a pass either in Mathematics or in Logic.

#### APPENDIX B.

London University—Intermediate Arts.

” ” Intermediate Science.

Oxford University—Pass Moderations

” ” Law Preliminary.

” ” Science Preliminary.

Cambridge University—The General Examination.

In the case of women—

(i.) “Moderations” or “finals” in the University of Oxford.

(ii.) Tripos examinations of the University of Cambridge or the “standard of the ordinary degree.”

Oxford and Cambridge Higher Local Examinations (Honours Certificate).

Birmingham University—Intermediate Arts.

” ” Intermediate Science.

Victoria University—Intermediate Arts.  
 " " Intermediate Science.  
 University of Wales—Intermediate Arts.  
 " " Intermediate Science.  
 Dublin University—Final Examination of Senior Freshmen year.  
 Royal University of Ireland—The Second University Examination in Arts.  
 College of Preceptors—Licentiate ship.

#### APPENDIX C.

Diplomas or certificates in the theory and practice of teaching granted by the following institutions :—

Oxford University.  
 Cambridge University.  
 London University.  
 Victoria University.  
 Durham University.  
 Birmingham University (Higher diploma).  
 Edinburgh University (Secondary school diploma).  
 Aberdeen University (Diploma with distinction).  
 Glasgow University (Diploma with distinction).  
 University of Dublin.  
 Royal University of Ireland.  
 College of Preceptors (Fellowship and Licentiate ship), together with the certificate of ability to teach.

#### APPENDIX D.

Institutions, &c., for the training of secondary teachers.

Course of training for secondary teachers at Oxford for the Oxford University Diploma. (This training would be accepted provided that students stayed for a year.)

University of Cambridge (Day Training College), Secondary Department.  
 Durham University.  
 Birmingham University.  
 Owens College, Manchester.  
 University College, Liverpool.  
 Yorkshire College, Leeds (provided the training were of one year's duration).  
 University College of North Wales, Bangor.  
 University College of South Wales, Cardiff.  
 University College of Wales, Aberystwith.  
 Cambridge Training College.  
 Maria Grey College, London.  
 Cheltenham Ladies' College.  
 Bedford College, Edinburgh.  
 Mary Datchelor College, London.  
 St. George's Training College, London.  
 Catholic Training College, Cavendish Square, London.  
 St. Mary's Hall, Mount Pleasant, Liverpool.

*Order in Council, 11th August, 1902, Modifying certain Regulations contained in the Schedule to the Order in Council of 6th March, 1902.*

Whereas by virtue of Section 4 of the Board of Education Act, 1899, an Order in Council was made on the 6th day of March, 1902 (hereinafter referred to as the Principal Order), providing for the formation of a Register of Teachers, and for the manner in which such register should be kept :

And whereas the Principal Order provided that the said register of teachers should be formed and kept in accordance with the regulations contained in the schedule to that Order, as framed by the Consultative Committee and approved by the Board of Education, and with such other regulations as may from time to time be framed and approved in like manner :

And whereas the regulations set forth in the schedule to this Order (being regulations modifying and altering certain of the regulations contained in the schedule to the Principal Order) have been framed by the Consultative Committee and approved by the Board of Education :

Now, therefore, his Majesty, by and with the advice of his Privy Council, and by virtue of the authority committed to him by the Board of Education Act, 1899, and of all other powers enabling him in that behalf, is pleased to order, and it is hereby ordered, as follows :—

The regulations in accordance with which the Register of Teachers shall be framed and kept shall be those set forth in the schedule to the Principal Order as modified by the regulations set forth in the schedule to this Order, or such other regulations as may from time to time be framed by the Consultative Committee and approved by the Board of Education.

Schedule modifying regulations :—

1. In Sub-section (2) (i.) of Regulation 3, after the words “for at least one year,” there shall be inserted “or in the case of a student who has taken honours in a final examination for a degree after spending four academic years at some University in the United Kingdom have undergone a course of training for two terms at least taken continuously.”
2. In Regulation 4, the period of four years from the establishment of the registration authority shall be substituted for three years, as the period within which an application to be placed in column B is to be made thereunder.
3. The following words shall be added at the end of the second sentence in Appendix A—“or that under the conditions prescribed by the Delegacy for Local Examinations she has (1) passed the second public examination of the university, or (2) has obtained honours in the Oxford University Examinations for Women in Modern Languages.”
4. The following institution shall be added to those contained in Appendix C :—

The National Froebel Union. (Higher Certificate.)

## APPENDIX.

## SHOWING REGULATIONS MODIFIED OR ALTERED BY THE ORDER.

| Regulations in Schedule to Order in Council of 6th March, 1902.  | Regulations as Modified.  |
|--|---|
| <p>3. A person shall be entitled to be placed on Column B of the register if he fulfils the following conditions :</p>   | <p>3. A person shall be entitled to be placed on Column B of the register if he fulfils the following conditions :</p>  |
| <p>(1) He must have obtained a degree conferred by some university of the United Kingdom, or have obtained one of the diplomas or certificates mentioned in Appendix A to these regulations, or have attained some other approved standard of general education.</p>   | <p>(1) He must have obtained a degree conferred by some university of the United Kingdom, or have obtained one of the diplomas or certificates mentioned in Appendix A to these regulations, or have attained some other approved standard of general education.</p>  |
| <p>(2) He must either—</p>   | <p>(2) He must either—</p>  |
| <p>(i.) Have resided and undergone a course of training for at least one year in one of the universities or training colleges mentioned in Appendix D to these regulations or some other recognised institution for the training of secondary teachers, and have passed the examination for one of the diplomas or certificates in the theory and practice of teaching mentioned in Appendix C to these regulations ; or</p> | <p>(i.) Have resided and undergone a course of training for at least one year, <i>or in the case of a student who has taken honours in the final examination for a degree after spending four academic years at some university in the United Kingdom have undergone a course of training for two terms at least taken continuously</i>, at one of the universities or training colleges mentioned in Appendix D to these regulations or some other recognised institution for the training of secondary teachers, and have passed the examination for one of the diplomas or certificates in the theory and practice of teaching mentioned in Appendix C to these regulations ; or</p> |
| <p>(ii.) Have passed an approved examination in the theory of teaching, have spent at least one year as a student teacher under supervision at a recognised school (not being an elementary school), and have produced evidence of ability to teach.</p>   | <p>(ii.) Have passed an approved examination in the theory of teaching, have spent at least one year as a student teacher under supervision at a recognised school (not being an elementary school) and have produced evidence of ability to teach.</p>   |

SHOWING REGULATIONS MODIFIED OR ALTERED BY THE ORDER—*continued*.Regulations in Schedule in Order in  
Council of 6th March, 1902.

Regulations as Modified

(3) He must have spent at least one year of probation as a teacher at a recognised school (not being an elementary school), and must satisfy the registration authority that he has shown fitness for the teaching profession.

4. A person shall be entitled to be placed on Column B of the register if at any time within three years from the establishment of the registration authority he makes application to be so placed.

## APPENDIX A (Clause 2).

A diploma or certificate showing to the satisfaction of the registration authority that the applicant, if a woman, has fulfilled all the conditions which, if the University of Oxford granted degrees to women, would entitle her to a degree in that university.

(3) He must have spent at least one year of probation as a teacher at a recognised school (not being an elementary school), and must satisfy the registration authority that he has shown fitness for the teaching profession.

4. A person shall be entitled to be placed on column B of the register if at any time within *four* years from the establishment of the registration authority he makes application to be so placed.

## APPENDIX A (Clause 2).

A diploma or certificate showing to the satisfaction of the registration authority that the applicant, if a woman, has fulfilled all the conditions which, if the University of Oxford granted degrees to women, would entitle her to a degree in that university: *or that under the conditions prescribed by the delegacy for local examinations she has (1) passed the second public examination of the University, or (2) has obtained honours in the Oxford University Examination for women in modern languages.*

## APPENDIX C.

Diplomas or certificates in the theory and practice of teaching granted by the following institutions:—

Oxford University.

Cambridge

London

Victoria

Durham

Birmingham .. (Higher Diploma)

Edinburgh .. { (Secondary

Aberdeen .. { (Diploma with

Glasgow .. { (Diploma with

University of Dublin.

Royal University of Ireland.

College of Preceptors. (Fellowship and Licentiate-ship, together with the certificate of ability to teach.)

## APPENDIX C.

Diplomas or certificates in the theory and practice of teaching granted by the following institutions:—

Oxford University.

Cambridge

London

Victoria

Durham

Birmingham .. (Higher Diploma)

Edinburgh .. { (Secondary

Aberdeen .. { (Diploma with

Glasgow .. { (Diploma with

University of Dublin.

Royal University of Ireland.

College of Preceptors. (Fellowship and Licentiate-ship, together with the certificate of ability to teach.)

The National Froebel Union.

Higher Certificate.



**Registration: School.**—Elementary Education.—Managers must provide suitable registers (Art. 5 of the Code), kept in accordance with the regulations of the Board of Education. They must be bought out of the school funds and be the property of the school. Entries must be original, made in ink, and there must be no erasures or insertions. Corrections must be so made that the original entry and alterations are clearly shown. Entries must be consecutive, with no blanks between them. The name of the school must be written on the cover of each register.

NOTE.—The following are the rules for the keeping of registers. (Revised Instructions, 1902)

*Registers.*

5. In every school or department there should be—

- (a) A register of admission, progress, and withdrawal.
- (b) Attendance registers.
- (c) A register of summaries.

The pages of these registers must be numbered consecutively. Each register should be signed on the title-page by the correspondent of the school, with the date at which it was supplied to the teacher. No leaf should be withdrawn from, or inserted in, any register. The registers presented to the Inspector must be the original registers, which have been in use throughout the year, and on which the returns are based. The head teacher of a school or department will, in all cases, be held responsible for the proper keeping of the records of that school or department, and should not delegate to any subordinate the keeping of any of these registers, except those of attendance. Pupil-teachers who have completed their first year may register the attendance of their own classes; but a first-year pupil-teacher may not be employed in registration.

6. The managers are held responsible for the efficient verification of the registration. Form 9 contains certificates to be signed by managers, (1) that the registers and books of account have been accurately kept in accordance with this Appendix; and (2) that the accuracy of the registers has been tested by the managers on several occasions and the result recorded in the log book. In order that managers may be able to give these certificates they are required to visit the school without notice, at least once in every quarter, at some time when the attendance registers should have been marked and added up for that meeting of the school, and to check the entries. This should be done by ascertaining (1) that each of the children present at the time of marking has been marked present, and each of the children not so present has been marked absent; (2) that the totals of these attendances have been duly entered; (3) that the instructions for the keeping of these registers, hereafter laid down, have been fulfilled; and (4) that the admission register and summary have been properly kept up to date. The result of each such visit should be entered by the visiting manager in the log book, dated and signed by him. The managers should also, at the end of the year, check the number of times the school has been opened, and also a sufficient number of the attendance totals (at least 10 per cent) to convince themselves of the accuracy of the registration.

*Admission Register.*

7. The entry for each scholar should be made in this register *on his admission* to the school. Successive numbers must be allotted to the scholars on their admission, so that each may have his own number, which he should retain throughout his career in the school, and which should be used to identify him. This will be specially useful when there are two or more scholars of the same name. When more than one entry is made for the same scholar, that is

to say, when he has been admitted and re-admitted, he should resume his old number, and cross references should be made to the entries.

8. No child's name should be removed from this register until he has become exempt from legal obligation to attend school, unless it has been ascertained that he is dead, is attending another school, or has left the neighbourhood. If no information can be obtained the name may be removed after a continuous absence of four weeks.

9. This register must show distinctly for each scholar who has actually been present in the school—

- (a) His number on the register.
- (b) The date of his admission (and re-admission)—day, month, and year.
- (c) His name *in full*.
- (d) The name and address of his parent or guardian.
- (e) Whether exemption from religious instruction is claimed on his behalf.
- (f) The exact date of his birth—day, month, and year.
- (g) The last school he attended before entering this school. If this is his first school, the word "none" should be entered in this column.
- (h) If he has left, the date of his last attendance at *this* school and the cause of his leaving.

10. This register must have an alphabetical index, and be permanently preserved.

#### *Attendance Registers.*

11. In each school or department separate registers should be provided for older scholars and for infants. The attendances of all children who are being taught with the older scholars or with the infants must be entered in the corresponding register, and no attendance must be transferred from one register to the other. The infant registers must show the attendances of infants under five separately. Separate registers should also be provided for recording the attendance of scholars at special classes for instruction in any of the subjects mentioned in Art. 12 (*f*). These registers should show accurately the dates on which the class meets and the time during which the scholar is under instruction at each meeting; and those for cookery classes should also distinguish between attendances at demonstrations and time spent by the scholars in cooking with their own hands.



The approved time-table must provide adequate time at each meeting of the school for marking the registers, and they must be marked and the attendance totals entered during the time so provided. This time must end before the commencement of the minimum time constituting an attendance as defined by Art. 12, after which no scholar may be marked present except as provided in par. 17.


In day schools the marking of the registers for the afternoon meeting may not commence within an hour of the close of the morning meeting, except on occasions for which the special sanction of the Board has been given to a shorter interval.

13. The name of the school, department, and class should appear on the cover of each register.






14. There must be columns for the admission numbers and names of the scholars, both of which must invariably be entered at the same time, and a column for the attendances at each meeting in the school year, which column should be properly dated *before any entry of attendances or absences is made in it*. These attendance columns should be grouped in weeks, and at the foot of them should be spaces for totals of the number present when the registers were marked and the number withdrawn before the time constituting an attendance is complete [Art. 12 (*d*)]. There is no need that the weekly total of attendances of each scholar should be entered; but it will be convenient to add up, and record the total of, the attendances of each quarter.

15. If school fees are entered in the register, and they should be kept quite separate from the other entries, the best place will be the extreme left of the page before the names of the scholars.


16. Every scholar whose name has been entered in the admission register and not removed from that register must be definitely marked  (present) or  (absent) at every meeting of the school.

17. When a scholar leaves before the completion of the minimum time prescribed by Art. 12, his mark of presence must be cancelled immediately on leaving by drawing a ring round it thus,  and his attendance must be

deducted from the total. But this need not be done in the case of a scholar leaving the school for instruction in any of the subjects mentioned in Art. 12 (f), unless it is subsequently ascertained that such scholar has not completed the minimum time constituting an attendance. Any scholar marked absent at any meeting who is found—when the registers of a central class for cookery, drawing, science, etc., or the registers of attendance at museums or other places approved under Art. 12 (g) are examined—to have been present during the minimum time constituting an attendance, Art. 12 (a) and (b), at such class, or partly at such class and partly at the school, may have the letter C, D, S, M, A, etc., entered inside the mark of absence, thus,

    . All attendances so registered should be added to the total attendances of each child at some time not later than the end of the year.

When a child is prevented from attending the school by reason of a notice of a sanitary authority under Art. 88 of the Code, or any provision of an Act of Parliament, or is excluded under medical advice because the house in which he lives is infected (Art. 101\*), his mark of absence should be entered thus,

 (E) (epidemic sickness).

18. At each meeting the total number of scholars marked present should be checked by counting those actually present before the correct total is entered at the foot of the register.

19. The number of scholars who have left any meeting before completing their attendances (*see* 17 above) must be entered *before the close of each meeting*.

20. When the school does not meet on an occasion for which space is provided in the registers, this space must before the next meeting be cancelled by one or more lines being plainly drawn through it. The reason why the school did not meet should always appear in the log book. For longer periods "holiday" should be written across the column.

21. Attendance registers should be preserved for ten years after they are filled.

22. The attendance registers must be marked every time the school meets, however small the attendance, and the meeting must be counted in ascertaining the average attendance.

N.B.—In country districts, where the children have to come from some distance to attend school, the managers may occasionally be justified in abandoning a meeting of the school without previous notice on days when, owing to inclement weather, the attendance is so small as seriously to interfere with the ordinary working of the school.

In such a case, if the children reach the school so wet that sitting in school for the usual school hours is likely to be injurious to their health, the managers should send them home at once, and not open the school or give any instruction to them. If, however, any of the children reach the school in such a condition that they are not likely to be injured by remaining for the

usual school hours, they may be admitted and allowed to receive instruction without the registers being marked or the meeting reckoned for the purpose of Article 14. Whenever this is done, full particulars of the circumstances must be entered in the log book, and a record should be kept of the numbers sent home and retained in school respectively.

#### *Half-time Registers.*

23. The managers must provide a separate register for half-time scholars. They must not enter the name of any scholar on this register unless he has obtained a labour certificate from the local authority of the district, and is actually employed in conformity with such certificate.

24. In this half-time register will be posted, at the close of each week, the number of the attendances made by each of the half-time scholars during the week.

25. The class registers will be marked for half-time scholars just in the same way as for other scholars, presence *for not less than two hours of secular instruction* being marked by a stroke, and the entry for the week in the half-time register will be the number of *such two hour attendances* made during the week. When the yearly total is ascertained, 50 per cent may be added to it, to obtain the number of "attendances" as defined in Art. 12 (b).

26. In Form 9 the total number of two-hour attendances, whether made by half-time or whole-time scholars, should be stated. The average attendance entered in Form 9 will be found by dividing this number by the number of meetings of the school, the additional attendances (50 per cent of those made by the half-time scholars) claimed under Article 12 (b) should be entered in the space provided for that purpose in Form 9, and the average attendance, which will be the basis of the grant, will be calculated from the above data in the office.

27. At the end of the year a list will be drawn up, signed by the officer of the local authority, and presented to the Inspector, certifying (a) the number of two-hour attendances made by each half-time scholar, (b) the addition claimed on his behalf under Article 12 (b). This addition may not exceed—

- (i.) *One-half* of the two-hour attendances made by the scholar during the year, or during the portion of the year that has elapsed since the scholar became qualified as a half-timer; or
- (ii.) Such a number as when added to the number of his two-hour attendances will give a total equal to *three-fourths* of the number of meetings of the school during the year, or during the portion of the year that has elapsed since the scholar became qualified as a half-timer.

#### *Register of Summaries.*

28. In day schools, the attendance totals of each class and department, for each week or part of a week, the number of times each department has been open for the same periods, and the average attendance of each department for these periods, should be entered in the Register of Summaries *at the close of each week*.

29. At the end of the school year the total number of attendances and meetings for that year should be ascertained for each school or department. A separate summary of the attendances of children under five years of age must be given for infants' schools or classes.

30. The average attendance for the year should also be ascertained for each section of the school for which separate returns are required by dividing the total number of attendances in the year by the number of meetings of the school in that year.

31. The summary should also show the number of scholars on the registers at the end of the school year classified as required by Form 9.

32. Registers of summaries should be permanently preserved.



**Religious Instruction.**—1. In provided schools: Local authorities may provide religious instruction in public elementary schools, provided by them, subject to what is known as the Cowper-Temple Clause of the Act of 1870 (Sec. 14 (2).) "No religious catechism or religious formulary which is distinctive of any particular denomination shall be taught in the school." Practically the whole of the school boards have made religious instruction part of the teaching of their day schools. A Parliamentary return (House of Lords' Paper No. 2, 1895) showed that in 1894, out of about 2,400 school board districts in England and Wales, no provision was made for religious teaching, reading, or observances in only 57 districts. Of these, 43 were in the counties of Cardigan, Carmarthen, Pembroke, and Glamorgan; 7 in the rest of Wales, and 7 in England.

Very excellent schemes of religious instruction providing for examinations of scholars and pupil teachers have been drawn up by the school boards. As an example I give that of London:—

LONDON SCHOOL BOARD SCHEME OF BIBLE INSTRUCTION AND RELIGIOUS OBSERVANCES.

In the schools provided by the Board the Bible shall be read and there shall be given such explanations and such instruction therefrom in the principles of the Christian Religion and of Morality as are suited to the capacities of children, provided always—

(i.) That in such explanations and instruction the provisions of the Elementary Education Act, 1870, in Sections VII. and XIV. be strictly observed, both in letter and spirit, and that no attempt be made in any such schools to attach children to any particular denomination.

(ii.) That, in regard to any particular school, the Board shall consider and determine upon any application by managers, parents, or ratepayers of the district who may show especial cause for exception of the school from the operation of this resolution, in whole or in part.

Such explanations and instruction as are recognised by the foregoing regulation shall be given by the responsible teachers of the school.

In this article the term "responsible teachers" does not include pupil teachers, except those of the last two years of apprenticeship, who, under special circumstances and under the supervision of the head teachers, are allowed to give Scripture lessons.

In all schools provision may be made for giving effect to the following resolutions of the Board, passed on July 26th, 1871:—

(i.) That, in accordance with the general practice of existing elementary schools, provision may be made for offering prayer and using hymns in schools provided by the Board at the "time or times" when, according to Section VII., Sub-section II., of the Elementary Education Act, "religious observances" may be "practised."

(ii.) That the arrangements for such "religious observances" be left to the discretion of the teacher and managers of each school, with the right of appeal to the Board by teacher, managers, parents, or ratepayers of the district:

Provided always—

That in the offering of any prayers, and in the use of any hymns, the provisions of the Act in Sections VII., and XIV. be strictly observed, both in letter and spirit, and that no attempt be made to attach children to any particular denomination.



During the time of religious teaching or religious observance, any children withdrawn from such teaching or observance shall receive separate instruction in secular subjects.

#### SECTIONS VII. AND XIV. OF EDUCATION ACT, 1870—CONSCIENCE CLAUSE.

A copy of Sections VII. and XIV. of the Elementary Education Act, 1870, and also of the preceding regulations, must be hung up in a conspicuous part of the schoolroom.

#### BIBLE INSTRUCTION OF PUPIL TEACHERS AND CANDIDATES.

The Bible instruction of pupil teachers is given at the pupil teachers' schools, where also the same regulations are in force as to religious observances at the opening of the classes that are laid down for the ordinary day schools. [For syllabus, see Appendix below.]

#### SYLLABUS OF BIBLE INSTRUCTION.

The Bible instruction must be given in accordance with the syllabus adopted by the Board. (See Appendix below.)

#### SYLLABUSES OF BIBLE INSTRUCTION—(A) FOR SCHOLARS ; (B) FOR PROBATIONERS, AND PUPIL TEACHERS.

##### A.—SYLLABUS FOR SCHOLARS FOR THE YEAR, 1ST AUGUST, 1902, TO 31ST JULY, 1903.

In the schools provided by the Board the Bible shall be read, and there shall be given such explanations and such instruction therefrom in the principles of the Christian Religion and of Morality as are suited to the capacities of children.—Article 200 of the Code for the Guidance of Managers, Correspondents, and Teachers.

GENERAL INSTRUCTION.—The teachers are desired to make the lessons as practical as possible, and not to give attention to unnecessary details.

If in any school two or more of the upper standards are taught as one class by a teacher, the scholars must be examined in Scripture one year on the work of the lower standard, and the next year on that of the higher standard.

When two or more standards are combined under one teacher, the children who are presented at the final examination must represent in due proportions the different standards in the combined class.

In boys', girls', and mixed schools working lists of lessons based upon the Syllabus should be drawn up at the beginning of the school-year, and should be submitted to the Board Inspector when he visits the school.

Head teachers of infant schools must draw up a syllabus of lessons for children below Standard I., and submit it to the Board Inspector when he visits the school.

#### STANDARD I.

Learn the Lord's Prayer and Psalm xxiii.

Simple stories from the Book of Genesis.

Leading facts in the life of our Lord, told in simple language.

#### STANDARD II.

Learn the Lord's Prayer and Psalm xxiii.

Learn the Ten Commandments.

Learn St. Matthew v., verses 1—12.

Lessons from the life of Moses.

Simple lessons from the life of our Lord.

### STANDARD III.

Learn the Lord's Prayer; the Ten Commandments; St. Matthew v., verses 1—12. Learn St. Matthew xxii., verses 35—40; and Psalm cxxi.

Lessons from the lives of Samuel and David, together with the story of Ruth.

Fuller account of the life of our Lord, with lessons drawn from the following parables :—

"The Talents."

"The Lost Piece of Money."

"The Good Samaritan."

"The Prodigal Son."

"The Lost Sheep."

"The Pharisee and the Publican."

### STANDARD IV.

Learn the Lord's Prayer; the Ten Commandments; Psalm cxxi.; St. Matthew v., verses 1—12; and St. Matthew xxii., verses 35—40.

Learn St. John xiv., verses 1—15; and Psalm cxxv.

Lessons from the Pentateuch, with special reference to the lives of Abraham, Isaac, Jacob, Joseph, and Moses, with the practical lessons to be derived therefrom.

Lessons from the Gospel according to St. Luke 1—13.

### STANDARD V.

Learn the Lord's Prayer; the Ten Commandments; Psalm cxxi.; St. Matthew v., verses 1—12.

Learn 1 Corinthians xii., verse 31, and chapter xiii., and Psalms xxiii. and xci., and Proverbs iii., verses 1—18, and xxiii., verses 20 and 21; and Romans xiii., 8—10.

Lessons from the Book of Joshua.

Lessons from the Gospel according to St. Luke xiv.—end.

### STANDARD VI.

Learn the Lord's Prayer; the Ten Commandments; Psalm xxiii.; St. Matthew v., verses 1—12.

Learn Psalms cxxi. and cxxii.; Isaiah lii., 13—15, and liii.; and St. Matthew xxii., verses 35—40.

Lessons on the life and times of Elijah.

Lessons from the Sermon on the Mount, St. Matthew v., vi., and vii.

Lessons from the Gospel according to St. John i.—xiii.

### STANDARD VII.

Learn the Lord's Prayer; the Ten Commandments; Psalm xxiii.; St. Matthew v., verses 1—12; and St. Matthew xxii., verses 35—40.

Learn Psalm xc., Isaiah lxi., and Hebrews i.

Lessons from the following chapters of Isaiah: i., vi., xi., xxv., xxxv., and xl.

Lessons from St. Matthew v., vi., and vii.

Lessons from the Gospel according to St. John xiv.—end.

Study of the Acts of the Apostles i.—xii.

### EX-STANDARD VII.

Repeat Standard VII. work.

Learn Isaiah lx., and Psalms cxxv. and cxxvi.

Study of the Acts of the Apostles, xiii.—xxviii.

### OXFORD AND CAMBRIDGE LOCAL EXAMINATION SCRIPTURE.

Any head teacher who wishes to adopt the Scripture of the Oxford or Cambridge Junior Local Examination Syllabus for the upper standards, is allowed to do so, but this permission does not refer to those sections in the

Oxford or Cambridge Syllabuses which are of a definitely denominational character; *e.g.*, in the Oxford Syllabus "Prayer Book, comprising Church Catechism, Morning and Evening Services and Litany," and in the Cambridge Syllabus "Church Catechism"; in lieu of which subjects one or other of the alternatives to those of a denominational character must be taken.

In addition, children working under this Syllabus must take the memory work of the ordinary Standard ex-VII. children.

#### B — SYLLABUS FOR PROBATIONERS AND PUPIL TEACHERS.

The course at the Pupil Teachers' Schools should afford a general acquaintance with the Old and New Testaments, with especial reference to those portions which are included in the Syllabus of Instruction for Scholars. This course should include not merely a general outline of the history and literature of the different periods referred to in the Bible, but also especial attention should be given to the teaching contained therein.

##### JUNIOR PROBATIONERS.

Learn Isaiah lxi., Psalm xc., and Hebrews i.

Lessons from the Gospel according to St. John.

Study of Deuteronomy, chapters i.—xiii., and xxix. to end, and the Acts of the Apostles i.—vi.

##### SENIOR PROBATIONERS.

Study of the First Book of Samuel, the Gospel according to St. Mark, and the Acts of the Apostles, vii.—xii.

##### FIRST YEAR PUPIL TEACHERS.

Study of the Second Book of Samuel, the Gospel according to St. Luke, and the Acts of the Apostles xiii.—xxviii.

##### SECOND YEAR PUPIL TEACHERS.

Lessons on the life and times of Jeremiah.

Study of the Gospel according to St. John and the Acts of the Apostles i.—xxviii.

##### THIRD YEAR PUPIL TEACHERS.

Old Testament—

1 Samuel xvi., xvii., xxi.—xxvi., xxxi.

2 Samuel i., vi., vii., xii., xv., xviii., xxiv.

1 Chronicles xxii., xxviii., 11—19; xxix., 6—14.

Learn by heart 1 Samuel xv., 22; xvii., 45—47; 1 Chronicles xxii., 8—9; and 2 Samuel vii., 12—16.

New Testament—

St. Matthew xxi., xxii., 14—end; xxiii., 34—end; xxv., xxvi., xxvii., xxviii.

St. Mark xi., xii., xiv., xv., xvi.

St. Luke xix., 28—47; xx., 19—47; xxi., 1—4, 37, 48; xxii., xxiii., 1—56; xxiv., 1—53.

St. John xii., 1—34; xiii., xiv. to xxi.

Acts of the Apostles i., 13—26, and ii.

II. In non-provided schools: By the Act of 1902 the religious instruction is under the unfettered control of the managers and the local authority must make no conditions with regard to the secular instruction which would interfere with the time allowed for religious teaching.

See Conscience Clause, page 60.

### III. In Places of Higher Education.

Sec. 4.—(1) A council, in the application of money under this part of this Act, shall not require that any particular form of religious instruction or worship, or any religious catechism or formulary which is distinctive of any particular denomination, shall or shall not be taught, used, or practised in any school, college, or hostel aided but not provided by the council, and no pupil shall, on the ground of religious belief, be excluded from or placed in an inferior position in any school, college, or hostel provided by the council, and no catechism or formulary distinctive of any particular religious denomination shall be taught in any school, college, or hostel so provided, except in cases where the council, at the request of parents of scholars, at such times and under such conditions as the council think desirable, allow any religious instruction to be given in the school, college, or hostel, otherwise than at the cost of the council. Provided that in the exercise of this power no unfair preference shall be shown to any religious denomination.

(2) In a school or college receiving a grant from, or maintained by, a council under this Part of this Act,

- (a) A scholar attending as a day or evening scholar shall not be required, as a condition of being admitted into or remaining in the school or college, to attend or abstain from attending any Sunday school, place of religious worship, religious observance, or instruction in religious subjects in the school or college or elsewhere; and
- (b) The times for religious worship or for any lesson on a religious subject shall be conveniently arranged for the purpose of allowing the withdrawal of any such scholar therefrom. (Act of 1902.)

On the discussion of Clause 7 (1), and replying to Mr. Alfred Hutton (Committee, 17th October, 1902), who asked that words should be inserted in the Bill making it perfectly clear that the local authority would be financially responsible only for secular instruction, and in no way financially responsible for expense of sectarian or religious teaching,

Mr. Balfour said: "There is no idea that the local education authority shall mix themselves up with the religious training or teaching in any of the denominational schools."

During the same debate Mr. Bryce agreed that there should be liberty in the case of provided schools to purchase books for religious instruction. They were all agreed that there should be no such power in the case of non-provided schools.

Mr. Balfour said: "There is no difference of opinion between the hon. gentleman opposite and the Government."

On an amendment to add to Clause 7 (1) of the Bill (Committee, 21st October, 1902), a provision that no child shall be taken from the school in the hours during which the school is open to any other place for religious worship or religious instruction,

Mr. Balfour said he did not know whether the hon. gentleman was serious in his desire to lay down Parliamentary instruction as to the character of the religious instruction which was to be given in the board schools. It was a rash endeavour, and he certainly would not encourage the House to pursue any such plan.



On the discussion of Clause 7 (House of Commons Committee, 22nd October, 1902), and on an amendment proposing that the managers of a non-provided school shall make provision to the satisfaction of the local authority for religious instruction based upon reading the Bible, &c.,

The Chairman (the Right Hon. J. W. Lowther) said: "The committee has already decided that the local authorities have no control over religious instruction."

**Rent.**—No rent can be charged for non-provided schools, or, save as a rule a ground rent, for schools transferred to the Local Education Authorities under sec. 23 of the Act of 1870, which applies to schools having trusts for education. Other schools, so transferred under sec. 19 of the Act of 1870 may charge a rent. Rent may be charged for teacher's house.

### Repairs.

Section 7—(1) (*d*) The managers of the school shall provide the schoolhouse free of any charge, except for the teacher's dwelling-house, if any, to the local education authority for use as a public elementary school, and shall, out of funds provided by them, keep the schoolhouse in good repair, and make such alterations and improvements in the buildings as may be reasonably required by the local education authority, provided that such damage as the local authority consider to be due to fair wear and tear in the use of any room in the schoolhouse for the purpose of a public elementary school shall be made good by the local education authority.—(Act of 1902.)

Sec. 7—(2) The managers of a school maintained but not provided by the local education authority, in respect of the use by them of the school furniture out of school hours, and the local education authority in respect of the use by them of any room in the schoolhouse out of school hours, shall be liable to make good any damage caused to the furniture or the room, as the case may be, by reason of that use (other than damage arising from fair wear and tear), and the managers shall take care that after the use of a room in the schoolhouse by them the room is left in a proper condition for school purposes.—(Act of 1902.)

The respective shares of the cost of repairs will need to be apportioned between the councils and the managers of non-provided schools.

The cost per head for repairs to buildings in Manchester Board Schools last year was 1s. 1<sup>3</sup>/<sub>4</sub>d. per head of the average attendance of scholars.

In the House of Commons, 16th December, 1902, on consideration of amendments of the Lords' amendments—*i.e.*, that in line 36 [Clause 7 (1) (*d*) of Act] "all" be omitted and "such" inserted,

Sir Robert Finlay said "the effect of the amendment, as he took it, was this. As between the managers and the local education authority it would throw upon that authority the responsibility for some portion of the repairs. The general obligation to keep

the schoolhouse in repair was thrown upon the managers, and the amendment of the Lords threw upon the local education authority the liability to make good to the managers such portion of the repairs as were caused by wear and tear from the use of the building as a public elementary school. How was that amount to be determined?" . . . . "The clause, however, provided, further on, that any question arising under this section between the local education authority and the managers should be decided by the Board of Education. It would fall on them to decide any such question."

During the same debate Mr. Balfour said: "The education authority and the managers would, no doubt, come to a working arrangement as to the amount of damage done according to the share in the buildings which each party respectively enjoyed. There might be difficulties at first, but it would all work out right in the end. He must again remind the House that in the Bill as it was sent up to the House of Lords a precisely analogous question was left to be decided by the education authority. In Sub-section 2 of Clause 7 hon. gentlemen would find provision made in regard to damage caused to furniture or to the room other than damage arising from fair wear and tear, and all disputes arising under Section 7 were to be determined by the Board of Education. Therefore, they had really already decided that the Education Department could deal with these questions."

**Repeal of Enactments.**—See Schedule 4 of the Act of 1902, p. 360.

**Requisitions.**—It will be found convenient for the managers or teachers to requisition monthly the books, apparatus, and stationery required in a school where such requisites are directly supplied by the local education authority. For form of requisition see page 559.

**Returns** required by Local Education Authorities from managers must be supplied. And returns required by Board of Education must be supplied by the Local Education Authorities.

**Rotas.**—The name generally applied to the district sub-committees, which under School Boards have held meetings for seeing parents who have neglected to send their children regularly to school.

**Salaries of Teachers.**—Each District requires its own Scale of Salaries for Teachers.

The following is the Scale of Salaries in force in Sheffield :—

### SCALE OF TEACHERS' SALARIES.

#### HEAD TEACHERS.

Head teachers of not exceeding one year's experience, either under the board or elsewhere, as head teachers in schools having an average attendance of at least 200 children :—

|   |                 |
|---|-----------------|
| Masters .....   | £180 per annum. |
| Mistresses of girls', mixed, and infants' schools ... | £100      „     |

(NOTE 1.—This commencing salary refers to appointments made after December, 1901.)

to be increased by the sum of £5 per annum for every complete year after the first year of experience until the maximum salary is reached, namely :—

|  |                 |
|--|-----------------|
| Masters .....  | £220 per annum. |
| Mistresses of girls, mixed, and Infants' Schools ... | £140      „     |

(Note 2.—If a head teacher be promoted, or transferred from one school to another school under the board, and such promotion or transfer take place during the currency, but more than three months after the commencement, of any year of service, such year shall, for the purpose of determining the salary which, under the scale, such teacher is to receive upon appointment to the new school, be considered as a completed year of service.)

#### *Additional Payments to Head Teachers of Large Schools.*

In addition to the salary obtainable under the above scale, head teachers of large schools to receive the following payments, namely :—

Schools in which the average attendance exceeds 300 and does not exceed 350 :—

|                  |                |
|------------------|----------------|
| Masters .....    | £10 per annum. |
| Mistresses ..... | £5      „      |

Schools in which the average attendance exceeds 350 :—

|                  |                |
|------------------|----------------|
| Masters .....    | £20 per annum, |
| Mistresses ..... | £10      „     |

In addition, head masters of specially large schools in which the average attendance exceeds 400, to receive £5 annual increments after they have reached the salary of £240 per annum until the following maximum salaries are reached, viz. :—

|   |  |      |   |
|---|--|------|---|
| For schools with average<br>attendance of | 401—450, maximum salary, £245 per annum. |      |   |
| „    „    „                               | 451—500,      „                          | £250 | „ |
| „    „    „                               | 501—550,      „                          | £255 | „ |
| „    „    „                               | 551—600,      „                          | £260 | „ |
| „    „    „                               | 601—650,      „                          | £265 | „ |
| „    „    „                               | 651—700,      „                          | £270 | „ |
| „    „    „                               | 701—750,      „                          | £275 | „ |
| „    „    „                               | 751—800      „                           | £280 | „ |

#### *Special Schools not included in Scale.*

When, in the judgment of the school management committee, a school shall, on account of its size, or its locality, or for any other reason, be considered as one of a special character, the scale is not to apply to the salary of the head teacher in charge of such school, but such salary is to be dealt with by a separate resolution of the committee.

ASSISTANT TEACHERS.—MALES.

Trained assistant teachers are classified in three divisions—

*Trained Assistants—Class C.*

Trained (two years) certificated assistants of not exceeding one year's experience as trained assistant :—

Males ..... £80 per annum.

to be increased by the sum of £5 for every complete year after the first year of experience as trained assistant, until the following amounts are reached, namely :—

Males who have passed in the I. or II. Division,  
second year's papers ..... £110 per annum.

Males who have passed in the III. Division, second  
year's papers ..... £100 „

Trained teachers who have not served apprenticeship as pupil teachers to commence £5 below scale.

A third year of training to be regarded as equivalent to one year of service for the purpose of the scale.

Trained (one year) certificated assistants of not exceeding one year's experience as certificated assistant :—

Males ..... £75 per annum,

to be increased by the sum of £5 for every complete year after the first year of experience as certificated assistant, until the following amounts are reached, namely :—

Males who have passed in the I. or II. Division,  
second year's papers ..... £110 per annum.

Males who have passed in the III. Division,  
second year's papers ..... £95.

*Trained Assistants—Class B.*

Class B to consist of selected assistants who may, on account of their attainments and work, have their salaries increased at the rate of £5 per annum, from £110 to £130 per annum.

*Trained Assistants.—Class A.*

Class A to consist of specially selected assistants who may, on account of exceptional attainments and excellent work, have their salaries increased at the rate of £5 per annum, from £130 to £150 per annum.

*Untrained Assistants.*

Untrained certificated assistants of not exceeding one year's experience as certificated assistant in a school having an average attendance of at least 250 children :—

Males ..... £70 per annum,

to be increased by the sum of £5 for every complete year after the first year of experience as certificated assistant until the following amounts are reached, namely :—

Males who have passed in the I. or II. Division,  
second year's papers ..... £100 per annum.

Males who have passed in the III. Division,  
second year's papers ..... £90 „

(NOTE 3.—For the purposes of this scale, a certificated assistant is an assistant who has passed the certificate examination, taking the papers of second year's students. Divisions I. and III., or Divisions III. and I., in parts 1 and 2 of second year's papers, count as equiva-



lent to Division II. Divisions II. and III., or Divisions III. and II., in parts 1 and 2 of second year's papers, count as in Division III. In the clause of the scale relating to the experience of untrained certificated assistants in schools with an average attendance of at least 250 children, the limitation is only intended to apply to teachers entering the service of the board, and not to assistants already serving under the board.)

Untrained certificated teachers of at least six years' practical experience, who have taken a degree at any university in the United Kingdom, shall rank as trained teachers.

Ex-pupil teachers of not exceeding one year's experience as Ex-P.T. :—

Males ..... £55 per annum,

to be increased by the sum of £2 10s. for every complete year after the first year of experience as Ex-P.T. until £65 is reached.

(NOTE 4.—Assistant teachers who have not passed the certificate examination, but who hold special qualifications recognised by the Board of Education, under Article 51 of the New Code, and un-certificated assistant teachers who have never been apprenticed and have no qualifications recognised by the Board of Education, to be awarded such salary as will, in the judgment of the school management committee, meet the merits of each individual case.)

#### ASSISTANT TEACHERS—FEMALES.

##### *Trained Assistants.*

Trained (two years) certificated assistants of not exceeding one year's experience as trained assistant :—

Females who have passed in the I. or II. Division,

Second year's papers ..... £70 per annum,

to be increased by the sum of £5 for every complete year after the first year of experience as trained assistant until £90 is reached.

Trained (two years) certificated assistants of not exceeding one year's experience as trained assistant :—

Females who have passed in the III. Division,

Second year's papers ..... £70 per annum,

to be increased by the sum of £2 10s. for every complete year after the first year of experience as trained assistant until £80 is reached.

Trained teachers who have not served apprenticeship as pupil teachers to commence £5 below scale.

A third year of training to be regarded as equivalent to one year of service for the purpose of the scale.

Trained (one year) certificated assistants of not exceeding one year's experience as certificated assistant :—

Females ..... £65 per annum,

to be increased by the sum of £5 (if placed in I. or II. Division, second year's papers) or £2 10s. (if placed in III. Division, second year's papers) for every complete year after the first year of experience as certificated assistant until the following amounts are reached, namely :—

Females who have passed in the I. or II. Division,

Second year's papers ..... £85 per annum.

Females who have passed in the III. Division,

Second year's papers ..... £75 per annum.

Assistants may be selected to the number of 15, whose salaries may be increased for exceptional attainments and excellent work, at the rate of £5 per annum until £95 is reached.

*Untrained Assistants.*

Untrained certificated assistants of not exceeding one year's experience as certificated assistant in a school having an average attendance of at least 250 children :—

Females ..... £55 per annum.

(NOTE 5.—This commencing salary refers to appointments made on and after August 26th, 1901.)

To be increased by the sum of £2 10s. for every complete year after the first year of experience as certificated assistant until the following amounts are reached, namely :—

Females who have passed in the I. or II. Division,

Second year's papers ..... £75 per annum.

Females who have passed in the III. Division,

Second year's papers ..... £65 per annum.

(NOTE 6.—For the purposes of this scale, a certificated assistant is an assistant who has passed the certificate examination, taking the papers of second year's students. Divisions I. and III., or Divisions III. and I., in parts 1 and 2 of second year's papers, count as equivalent to Division II. Divisions II. and III., or Divisions III. and II., in parts 1 and 2 of second year's papers, count as in Division III. In the clause of the scale relating to the experience of untrained certificated assistants in schools with an average attendance of at least 250 children, the limitation is only intended to apply to teachers entering the service of the Board, and not to assistants already serving under the Board.)

Ex-pupil teachers of not exceeding one year's experience as Ex-P.T. : —

Females ..... £40 per annum,

to be increased by the sum of £2 10s. for every complete year after the first year of experience as Ex-P.T. until £50 is reached.

(NOTE 7.—Assistant teachers who have not passed the certificate examination, but who hold special qualifications recognised by the Board of Education, under Article 51 of the New Code, and uncertificated assistant teachers who have never been apprenticed and have no qualifications recognised by the Board of Education, to be awarded such salary as will, in the judgment of the school management committee, meet the merits of each individual case.)

JUNIOR TEACHERS.

*Pupil Teachers.*

After January, 1902, all engagements as pupil teachers to commence from the 1st. day of July.

The payment of pupil teachers, engaged on and after January 1st, 1902, to be as follows :—

|   | Male P.T's,<br>Per year. | Female P.T's,<br>Per year. |
|---|--------------------------|----------------------------|
| Pupil teachers of the First year who are at least 15 years of age on the commencement of the engagement as pupil teacher.   | £15 12s.                 | £12 10s.                   |
| Pupil teachers of the Second year who are at least 16 years of age on the commencement of the Second year of apprenticeship | £20 16s.                 | £15 0s.                    |
| Pupil teachers of the Third year who are at least 17 years of age on the commencement of the Third year of apprenticeship.  | £26 0s.                  | £17 10s.                   |

Pupil teachers who obtain places in the First or Second class at the King's Scholarship Examination, and who undertake to qualify as certificated teachers, to be paid the following sums in addition :—

£12 to male P.T's. and £10 to female P.T's. who are placed in the First class.

£6 to male P.T's and £5 to female P.T's who are placed in the Second class.

Further additional payments to be made to pupil teachers who gain high positions on the King's Scholarship List, as follows :—

£5 to each pupil teacher placed in the first 10 on the Scholarship List (male or female P.Ts.).

£3 to each pupil teacher placed below the 10th, but not lower than the 50th on the Scholarship List (male or female P.Ts.).

£2 to each pupil teacher placed below the 50th, but not lower than the 100th on the Scholarship List (male or female P.Ts.).

The increase of salary to pupil teachers to depend upon their passing the Board's Centre Examination in the First, Second, or Third class, and upon the terms of the Memorandum of Agreement being otherwise fulfilled. Pupil teachers marked as failure in the centre examination for any year, not to be retained, except with the consent of the school management committee, who will consider any special representation of the head teacher, the principal of the pupil teachers' centre, and the board's inspector of schools. If such pupil teachers are retained, they may be required to again take the work in which they are marked as failure.

#### *Candidates for Pupil Teachership.*

Candidates must as a rule serve at least one complete year as probationers before commencing their engagements as pupil teachers.

Girls must as a rule be not less than 14 years of age on July 1st in the year of their appointment as candidate on probation.

Candidates may, after an approved service of at least two months on trial, be paid for their services as candidates on probation prior to their apprenticeship, upon recommendation of the school management committee and resolution of the board to that effect, as follows :—

Boys of 13 years of age at the rate of 3s. 6d. per week.

Boys of 14 years of age, and upwards, at the rate of 4s. 6d. per week.

Girls of 14 years of age, and upwards, at the rate of £10 per annum.

*The foregoing Scale to be subject to the following conditions, namely :—*

(a) As far as possible assistant teachers under the board to be promoted to head teacherships in small schools, and head teachers to be promoted to larger schools, such promotions being dependent upon special merit and efficiency ; but, except under special circumstances, no promotions to be made until a teacher has been at least two years in the service of the board.

(b) The board reserves the right to modify the application of the scale in the case of any teacher.

(c) No increase of salary to be given except after a resolution of the board, and no increase to be given to a teacher whose work for his or her last preceding year of service has, in the opinion of the school management committee not been satisfactory. In deciding upon such work regard to be had, in the first instance, to the report of H.M. Inspector.

(NOTE 8.—If a school be reported upon by H.M. Inspector as not entitled to the higher grant under Article 101 (a) in schools for older scholars, or under Article 98 in infants' schools, the work of the head teacher of such school for the year of service current at the time of such inspection will not be regarded as satisfactory, except under circumstances deemed by the school management committee to be of special and ex-

ceptional character. Provided that this note shall not apply to a head teacher who has been in charge of the unsuccessful school for less than twelve months.)

(d) When the salary of any teacher has reached the maximum sum obtainable under the scale, its continuance at that amount to depend upon the conditions named in Clause C being fulfilled.

(e) The salaries of teachers to be considered by the school management committee as soon as practicable after the receipt of the Government Report of the school in which they were employed at the end of the educational school year : and any increase in such salaries to date from the commencement of a year of service.

(NOTE 9.—If a teacher be appointed or transferred to a school at a date which is less than three months from the end of the educational school year, the consideration of the salary of such teacher may be postponed until after the receipt of the Government Report upon such school for the year following, and so on from year to year ; but in such case any increase of salary will date from the commencement of a year of service.)

See also page 279.

The following are teachers' salaries per scholar in average attendance : Manchester, £2 5s. 1½d.; London, £3 3s. 10d.; Board Schools (Country), £2 12s. 2d.; Voluntary Schools, £1 15s. 4d.

All salaries of teachers are best paid monthly in cash at the schools, by pay clerks acting for the local education authority.

**Sale of Land.**—Sale of land by a local authority requires the approval of the Board of Education. (Section 22. El. Ed. Act, 1870.)

**Sanitary Arrangements.**—These require the most careful planning at the time when the school is built. All offices should be outside the school buildings, with no covered passage communicating with the school buildings. The single pedestal closets, with separate cistern for flushing, worked by handle and chain (protected by metal case or tube), are the best for public elementary schools. Continuous troughs are a bad arrangement of the past, and automatic flushing is not desirable.

Offices and urinals should be inspected daily by the principal teachers, and the best disinfectant for spraying urinals, &c., is a weak solution of Izal.

**Scholarships.**—The following is a list of scholarships offered last year in Manchester :—

(Copy.)

1. Scholarships offered by the Technical Instruction Committee of the Manchester City Council :—

- 4 Scholarships of £60 per annum for 3 years at Owens College.
- 15 Technical School Scholarships of £30 per annum for 2 years.
- 6 Manchester Grammar School Scholarships of £25 per annum for 2 years.
- 5 Art Scholarships of £30 per annum for 2 years.



II. Scholarships, Exhibitions, and Prizes awarded by the School Board and the Technical Instruction Committee jointly, and open to all Scholars of Public Elementary Schools in Manchester :—

- 1 McKerrow Exhibition of £22 per annum for 3 years.
- 32 Science and Art Scholarships of the annual value of £9, £12, and £15 for the 1st, 2nd, and 3rd years respectively.
- 25 Manchester Corporation Science and Art Scholarships of the same value.
- 7 Cartwright Exhibitions of £5 for 1 year.
- 6 Lancasterian Scholarships of £5 for 1 year.
- 15 Lancasterian Scholarships of £2 for 1 year.
- 27 Lancasterian Prizes, value 10s. each.

The following are offered by the Board of Education :—

#### SCIENCE.

1. *Royal Exhibitions, National Scholarships, and Free Studentships.*—Seven Royal Exhibitions, twenty-two National Scholarships, and six Free Studentships to the Royal College of Science, London, and the Royal College of Science, Dublin, were awarded on the results of the May examination of 1901. The number of students competing for these was 138. There has been no falling off in the high standard of attainment of the successful competitors.

2. *Local Exhibitions.*—Fifteen Local Exhibitions in Science—towards which the Board provide £25 per annum on the locality contributing a similar amount—were awarded in England last year, being three more than in the previous year. These are tenable at any institution where advanced Science instruction is given. Of the 15 Exhibitioners, 5 elected to study at the Royal College of Science, London; 6 at Owens College, Manchester; 1 at the Yorkshire College, Leeds; 1 at Birmingham University; 1 at University College, Liverpool; and 1 at University College, Sheffield.

3. *Science Scholarships.*—Science scholarships are awarded to pupils under 16 years of age from elementary schools or schools of science, to enable the successful competitors to pursue their studies for one, two, or three years, at an approved day school where more advanced instruction is given than in a public elementary school. For each of these scholarships a local contribution of £5 a year is required, which the Board supplement by a grant of £4 in the first year, £7 in the second, and £10 in the third year. In 1901 229 first year scholarships were awarded, 142 scholarships were renewed for a second year, and 110 for a third year, or a total of 481, being 26 less than in the previous year.

4. *Whitworth Scholarships and Exhibitions*.—These scholarships were founded and endowed by the late Sir Joseph Whitworth in 1868. The rules have been somewhat modified at various times, and the first competition under the present scheme was held in 1888. In 1901 the competition was for four scholarships of £125 a year, tenable for three years, and 30 exhibitions of £50, tenable for one year. The number of competitors was 92, as compared with 82 in 1900. There has been no falling off in the standard of attainment of the successful competitors.

5. *Aid to Acting Teachers of Science*, enabling them to attend classes at university colleges.

#### ART.

1. *Royal Exhibitions, National Scholarships, and Local Scholarships*.—Ten Royal Exhibitions and 20 Local Scholarships were awarded on the results of the May Examinations of 1901. The number of students competing for these was 122. The Royal Exhibitions are being held at the Royal College of Art, London. Of the Local Scholarships, one is being held at the Royal College of Art, London, three at the School of Art, Leeds, two each at Bristol (Kensington House) and West Bromwich Schools of Art, and one at each of the following Schools of Art: Belfast, Birmingham, Bradford (Technical College), Bridgwater, Brighton, Glasgow, Hammersmith, Leicester, Liverpool, Nottingham, and Sheffield. One of the successful candidates was unable to take up the local scholarship awarded to him. Nine students of Schools of Art engaged in trades dependent on decorative art were also selected for admission to the Royal College of Art, London, as National Scholars. The selection was made by giving due weight to the nature and requirements of the trades represented by the candidates, to the evidence they gave of special aptitude for design, and to the progress they had made at the schools at which they had studied, as shown by the works submitted and the examinations passed.

A Royal Exhibitioner and a National Scholar each receive a maintenance allowance of 25s. a week during the college session, and third class railway fare for one journey each session to and from the Royal College of Art. A local scholar receives a maintenance allowance of £20 a year. Royal Exhibitions and Local Scholarships are tenable for three years, and National Scholarships for two years, but the latter may be specially renewed for a third year.

2. *Local Exhibitions*.—Three Local Exhibitions—towards each of which the Board provide £25 per annum on the locality contributing a similar amount—were awarded in 1901. These are being held at the Royal College of Art.

3. *Free Studentships*.—Each of these consists of a grant of £3 to the managers of a School of Art under the Board in lieu of the annual fees otherwise payable by the student, who must be a draughtsman, designer, modeller, or handicraftsman. They are awarded on prescribed conditions to students of exceptional merit on the recommendation of the managers; 411 were so awarded on the results of the work of the session 1900-1901.

4. *Summer Courses for Art Teachers and Students*.—Given at the Royal College of Art, in July.

Under sec. 13 of the Act of 1873 Local Education Authorities have power to accept gifts for educational purposes.

Under the Science and Art Directory Rules, local scholarships of the annual value of £9, £12, or £15 may be secured by a local contribution of £5 for each one awarded. This, of course, is well known, and many useful scholarships have thus been secured for higher grade board schools. The local subscriptions have been supplied from sources other than rates, but moneys derived from endowments, bequests, or payments from the local taxation (customs and excise) funds are not held to be local subscriptions. Yet a payment from a rate under the Technical Instruction Act, 1889, if levied for this purpose, can be regarded as a local subscription, and this is what is being done. By these means the County Council of the West Riding of Yorkshire is considerably augmenting its scholarship scheme, with the direct approval of the Board of Education.

**Schedules to Act of 1902.**—Provisions as to proceeding, transfer, etc., application of enactments, and repeal.

Sec. 25—(1) The provisions set out in the first and second schedules to this Act relating to education committees and managers and to the transfer of property and officers, and adjustment, shall have effect for the purpose of carrying the provisions of this Act into effect.

(2) In the application of the Elementary Education Acts, 1870 to 1900, and other provisions referred to in that schedule, the modifications specified in the third schedule to this Act shall have effect.

(3) The enactments mentioned in the fourth schedule to this Act shall be repealed to the extent specified in the third column of that schedule—Act of 1902.

**School Attendance.**—See *Compulsory School Attendance*, page 57; also *Attendance*, page 30; *Attendance Officers*, 29.

**School Attendance Committees.**—The Elementary Education Act of 1876 provided for the appointment of a school attendance committee to enforce attendance in every borough and parish for which a school board had not been elected. Abolished by Act of 1902.

The Board of Education state: "These committees have been appointed in all the boroughs (8 county and 109 non-county) which are not under the jurisdiction of school boards, and

## NOTES ON THE EDUCATION ACTS, 1870-1902.

in all those unions (579) which are, wholly or in part, not under the jurisdiction of a school board. We have, further, under the same Act (sec. 33), issued 92 orders authorising urban district councils to appoint school attendance committees for the parishes under their jurisdiction, to the exclusion of the school attendance committees of the unions comprising these parishes."

The total population under school attendance committees is therefore :—

### *England, less Monmouthshire.*

|                                  |                 |
|----------------------------------|-----------------|
| 8 County boroughs .....          | 530,600         |
| 104 Non-county boroughs .....    | 1,484,426       |
| 90 Urban district councils ..... | 1,163,521       |
| 529 Unions .....                 | 6,122,268       |
| <hr/> 731                        | <hr/> 9,300,815 |

### *Wales and Monmouthshire.*

|                                 |                 |
|---------------------------------|-----------------|
| 5 Non-county boroughs .....     | 17,988          |
| 2 Urban district councils ..... | 13,754          |
| 50 Unions .....                 | 276,200         |
| <hr/> 57                        | <hr/> 307,942   |
| <hr/> 788                       | <hr/> 9,608,757 |

—Report, pp. 12-13.

**School Boards.**—Up to the 1st of January, 1902, School Boards had been established in London and in 59 county and 140 non-county boroughs. In 57 of these boroughs the election was compulsory, to supply a deficiency which could not be met without the aid of rates. In the remaining 142 boroughs the election was ordered on the voluntary application of the municipal authorities.

Of the 2,360 school boards in urban and rural parishes 1,099 had been elected under compulsory orders from the Board and 209 to meet deficiencies caused by the closing of schools by the managers; while the remaining 1,052 had been called into existence by the voluntary application of the ratepayers.

During the year ending 31st December, 1901, we have issued orders creating one new borough school board and 18 new boards in parishes. Of these boards 13 were formed compulsorily. One parish board was dissolved by the absorption of its district into a borough under a school board; two school boards were dissolved by orders under Section 41 of the Elementary Education Act, 1876, and two adjoining school board districts have been united.



The population of England and Wales in 1901, according to the unrevised figures of the Registrar-General, was—

|   |            |
|---|------------|
| 1. In London .....                            | 4,536,063  |
| 2. In county boroughs.....                    | 9,138,883  |
| 3. In non-county boroughs .....               | 4,054,739  |
| 4. In civil parishes (outside boroughs) ..... | 14,796,390 |
|   | <hr/>      |
|   | 32,526,075 |
|   | <hr/>      |

These figures are subject to "a detailed and final examination of the Census Returns as tabulated under our own control" (Preliminary Report of the Registrar-General on the Census of 1901). Further examination of these figures has shown the population of London to be 4,536,541, but the final reports for the whole country are not yet published. Report 190-1, pp. 11-12.

The population under school boards based on these figures may be summed up thus :—

*England, less Monmouthshire.*

|  |            |
|--|------------|
| 1 Board in London - - - -                          | 4,536,063  |
| 56 Boards in county boroughs - -                   | 8,282,059  |
| 117 „ in non-county boroughs -                     | 2,403,802  |
| 2,004 „ comprising 2,861 civil<br>parishes - - - - | 5,990,400  |
|  | <hr/>      |
| 2,178  | 21,212,324 |

*Wales and Monmouthshire.*

|                                     |                  |
|-------------------------------------|------------------|
| 3 Boards in county boroughs -       | 326,224          |
| 23 „ in non-county boroughs -       | 148,523          |
| 356 „ comprising 609 civil parishes | 1,230,247        |
|                                     | <hr/>            |
| 382                                 | 1,704,994        |
| <hr/> 2,560                         | <hr/> 22,917,318 |

—Report, pp. 11-12.

School Boards are abolished by the Act of 1902.

**School Caretakers.**—See *Caretakers*.

**School Hygiene.**—School hygiene deals with the school life of children and the matters which materially affect their well-being in school. It is a subject which is of vital importance, and has received much more consideration by German authorities than by English writers. In fact, we may be said to still need a comprehensive English work on the subject. The

situation and arrangement of the school building, its warming, ventilation, and furniture, the physical well-being of the child and the care of its mental faculties, are only a few of the matters coming within the range of school hygiene. For an elementary work on the subject, written for teachers, I know of no book better than "A Manual of School Hygiene," by Dr. Hope and Mr. E. A. Browne, published by the Cambridge University Press.

Dr. Hope is the Medical Officer of Health for Liverpool, and has had considerable practical experience of day schools.

**School Journeys.**—Parties of school children are frequently taken by their teachers for Saturday afternoon excursions into the country, and essays are afterwards written by the children giving in their own words descriptions of what they have seen. More ambitious efforts have been undertaken during the summer holidays. Parties of boys have been taken from Manchester for five days into Derbyshire, and from other towns such parties have gone even further afield. With careful management the expense which has to be met by the scholars is very small in amount. It is of the very essence of these undertakings that they should be purely voluntary so far as the teachers and scholars are concerned. Anything in the shape of an *official organisation* would prove fatal to the scheme.

An interesting paper on "The School Journey in Germany," by Miss Catherine I. Dodd, is given in Vol. I. of "The Special Reports on Educational Subjects," published by the Board of Education.

**School Organisation.**—See Note to Rules for Planning, &c., page 534; Infants' Schools, 134; and Older Children, &c., 184.

**School Planning.**—Since public money was first granted in 1833 for school building there has been a marked improvement in the character of the planning of public elementary schools. Greater generosity now prevails both with regard to the amount of accommodation per child and to the essential treatment of inside arrangements.

This is forcibly realized by turning to the regulations first in vogue. In an early edition of the National Society's "General Observations on the Construction of Schoolrooms, &c.," it was laid down "that the form of the schoolroom should be oblong—a *barn furnishes no bad model, and a good one may be easily converted into a schoolroom*. If one large room is built to accommodate boys and girls together, arrangements should be made for dividing it into two parts when needful. A framed partition may be put up for this purpose, either removable altogether, or else with a large portion of the middle framework made to slide upon rollers in an

iron groove, so that it may be moved easily to the sides of the room. As regards size 7 square feet should be allowed for each child, so a sufficient allowance for 50 children is 350 feet, and for 100 children, 700 feet; but if absentees are to be taken into account, 6 square feet is sufficient to allow on the total number on the register."

Gradually since 1870 the progress of ideas has been progressive. Starting from the old fashioned kind of school, common during the early seventies, which consisted of one large room, as a rule 32 feet wide, with groups of desks arranged on each side, known as the "double bank system," in which the children sat facing a common centre, with their backs to the light, and with only one or two class-rooms for 24 children each, without cloak-rooms, and with internal offices, we have proceeded to the class-room system, first with a corridor for assembly, &c., until we have reached the present almost perfect arrangement of a central hall, in close association with class-rooms of varying size (60 to 40 places each), suitable cloak-rooms, private rooms for the teachers, store closets, and in many cases special provision for teaching science—cookery, laundry work, and manual instruction. The school is supplied with ample playgrounds, and has all sanitary arrangements set back well away from the school buildings, within the precincts being a residence for the caretaker, not a house of two rooms, but one with all that a man and his family can reasonably require for the purposes of comfort and of health.

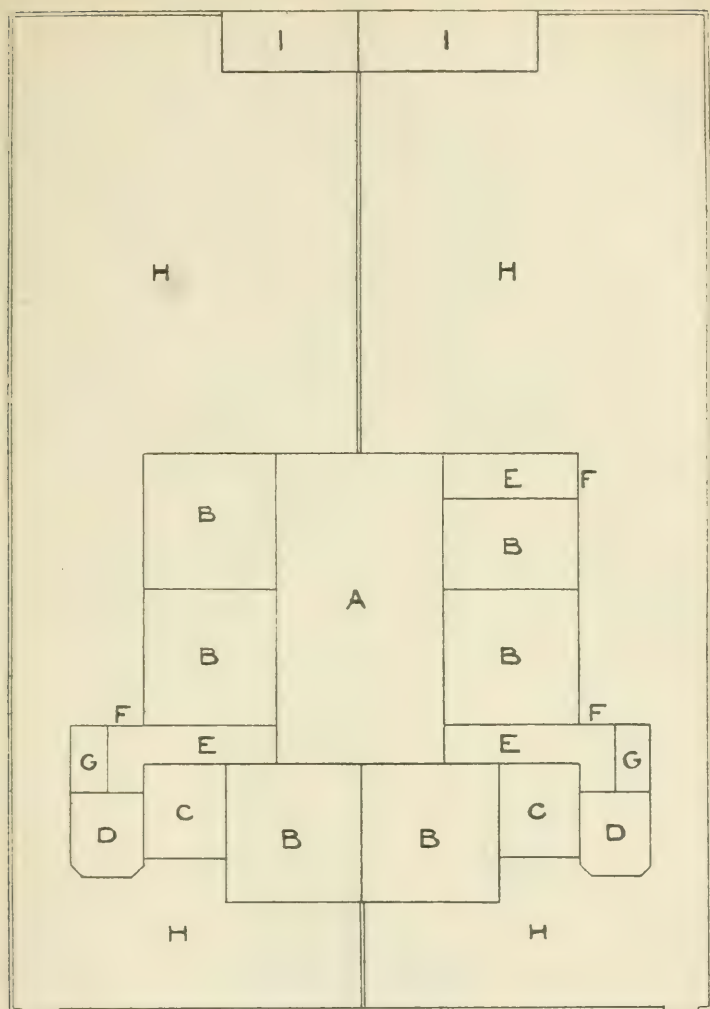
The most modern type of public elementary school can best be illustrated by two simple diagrams of schools recently erected.

A.—Ground plan of a one-storey building.

B.—Ground and first floor plans of a two-storey building.

The one-storey building (A) accommodates in the classrooms 340 children, the central hall not being counted. This school can, however, be very easily extended by the addition of three more classrooms for 180 children on the playground side, a corridor being taken off the width of the classroom nearest the main playground on the left. The hall would then be lighted mainly from clerestory windows, with top windows at each end. The school is arranged with two yards, one for boys and the other for girls and infants. Formerly the Board of Education allowed the central hall to count for 60 children in the case of a mixed school, but now, according to the most recent rules for planning schools, "a central hall will not be counted in the accommodation, nor will a classroom for cookery, laundry, manual instruction, drawing, or science."

See "Rules for Planning and Fitting-up Public Elementary Schools," page 534.



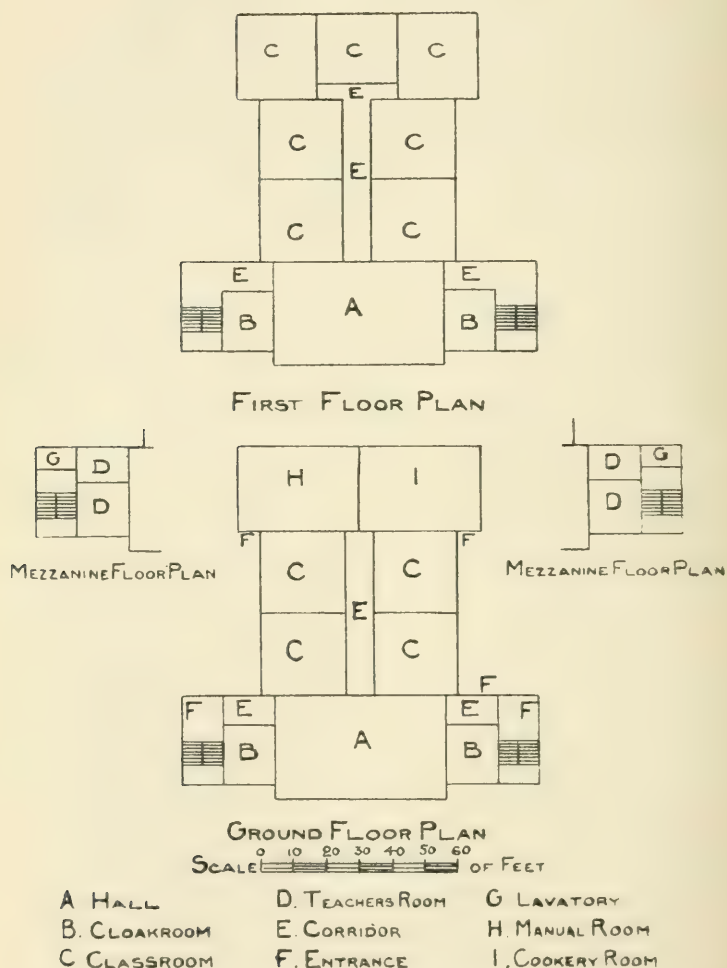
PLAN

SCALE 0 5 10 20 30 40 50 60 OF FEET

- |               |                 |               |
|---------------|-----------------|---------------|
| A. HALL.      | D. TEACHERS RM. | G. LAVATORY.  |
| B. CLASSROOM  | E. CORRIDOR.    | H. PLAYGROUND |
| C. CLOAKROOM. | F. ENTRANCE.    | I. CLOSETS.   |

**A.**—Ground plan of a one-storey school, showing playground and offices.





B.—Ground and first floor plan of a two-storey school.

The two examples are given because in a one-storey building the central hall can be lighted partly by an end window and by clerestory lights, whilst the halls, particularly the lower one, in a two-storey building, may have to depend for main direct lighting upon side windows. For the rules of the Board of Education regulating sizes of schools and class-rooms, with all the requirements which have to be satisfied in the planning of the new public elementary schools, see "Rules for Planning and Fitting up Public Elementary Schools," page 534. For rules regarding the planning of schools for defective and epileptic children, see page 517. See also Sites (School), page 253.

*Designs for Schools.*—Some school boards employ their own architects, others invite limited competition. In the latter case I think it a good thing that sketch plans of the kind of school required should illustrate the instructions. Architect's remuneration 5 per cent on cost of building. It is well to employ a separate quantity surveyor to take out the quantities for the builders who tender. Remuneration of quantity surveyor on large schools about  $1\frac{1}{2}$  per cent on amount of accepted tender.

**School Provision.**—The local authorities are responsible for the provision of such additional public school accommodation as is in the opinion of the Board of Education necessary (Sec. 8, Act of 1902). Formerly the amount of school accommodation was estimated at one-sixth of the population, but this rule is affected by recent extensions of the school age.

In working class districts it will be found that school accommodation for one-fifth of the population will be required. In many large towns there is already more than this proportion of children on the school books.

There must be sufficient accommodation available for the district without payment of fees. (Sec. 5, Act of 1891.)

#### NEW SCHOOLS.

Sec. 8.—(1) Where the local education authority or any other persons propose to provide a new public elementary school, they shall give public notice of their intention to do so, and the managers of any existing school, or the local education authority (where they are not themselves the persons proposing to provide the school), or any ten ratepayers in the area for which it is proposed to provide the school, may, within three months after the notice is given, appeal to the Board of Education on the ground that the proposed school is not required, or that a school provided by the local education authority, or not so provided, as the case may be, is better suited to meet the wants of the district than the school proposed to be provided, and any school built in contravention of the decision of the Board of Education on such appeal shall be treated as unnecessary.

(2) If in the opinion of the Board of Education any enlargement of a public elementary school is such as to amount to the provision of a new school, that enlargement shall be so treated for the purposes of this section.

(3) Any transfer of a public elementary school to or from a local education authority shall for the purposes of this section be treated as the provision of a new school.—(Act of 1902).

Under the provisions of this section new schools, whether provided by the local education authority or by voluntary agencies, are subject to the regulation that due notice must be given, and it is within the power of ten ratepayers to object either to the kind of school or its necessity. In case of such objection an inquiry will be held by the Board of Education, whose decision will be final. The same rule applies to proposals to transfer schools either to or from the local education authority, and may, if the Board of Education so decide, apply to extension of existing schools.

On the discussion of Clause 8 (1), and an amendment to omit the words "or any other persons," Mr. Balfour combated what he called the delusion that this clause was aimed simply at multiplying voluntary and denominational schools. He said:

"It was intended to give, and what it did give, was a liberty which did not now exist—a liberty of establishing a denominational school or a provided school in districts where, under the present system, they could not be erected. . . . In Preston at present the whole school accommodation was provided in voluntary schools, and, except for this clause, the new education authority under the Bill would have no power to provide a school, however much the people of Preston might desire it. (Commons.)

On the discussion of Clause 8 (1), and an amendment to insert after "school" the words "or to enlarge any existing public elementary school," it was pointed out that the new scheme of this Act would set up a new basis for providing school places.

Sir Robert Finlay said: "I understand that the point is that, without building a new school, in the popular sense, there might be such a considerable enlargement in existing schools as to put a burden upon the rates for maintenance. This is a matter which must be dealt with in some form, and what I suggest is, that it might be better to introduce at the end of the clause some words to provide that, in the case of enlargement, the Board of Education should determine whether, for the purposes of this section, the enlargement is such that it ought to be treated as a new school. The hon. gentleman is perfectly right when he says that the present Bill produces a new condition of things with regard to enlargements, and he contends that the operation of the clause in regard to the provision of new schools might be evaded by enlarging existing schools. I would suggest that it would be better to say that the case of the enlargement of a school should be dealt with by the Board of Education, and if they are of opinion that the enlargement is such that it should be treated as a new school, then they could take that course."—Commons, 3rd November, 1902. [See Clause 8 (2) of the Act.]

On the discussion of Clause 8 (1), and an amendment to omit the words "and any ten ratepayers in the area for which it is proposed to provide the school,"

Sir William Anson said "the proposal of the Government was that the right of appeal in the case of a new school should not be limited to the local authority which had in view the general educational interests of the area. While the local education authorities took a comprehensive view of the general educational requirements of their area, there were others who were interested. The managers of the existing school might object to the rivalry of the new school. There was another body of persons interested, and these were the ratepayers of the district in which it was proposed that a school should be established. Surely the ratepayers might be supposed to have a special knowledge of their district, and it was only fair that those interested in the locality should have an opportunity of making their voices heard."—(Commons, 3rd Nov., 1902.)

On the discussion of Clause 8 (1), and an amendment to omit after "require" the words "or that a school provided by the local education authority, or not so provided, as the case may be, is better suited to meet the wants of the district than the school proposed to be provided," and to insert the words "to meet any deficiencies in school places." If the amendment were not accepted there would be the danger of small schools being multiplied; schools, too, which, when they agreed to a course of religious instruction acceptable to every one, would be left high and dry.

Mr. Balfour said: "The hon. gentleman wants to retain the existing system. Under that system it would be possible for a Protestant district to be served by a Roman Catholic school, a Nonconformist district to be served by an Anglican school, and another locality to be served by a board school, in which, under the law as it stands, the religious teaching which the inhabitants desired cannot be given. The Government think that such a system needs elasticity. I do not think the fears of the hon. gentleman with regard to the multiplication of schools are well founded, for the burden on the ratepayers will act as a check to any movement in that direction. I think this is quite sufficient to check any inordinate desire to multiply schools. On the other hand, the Government are of the opinion that if there be unreasonable action on the part either of the local authority or on the part of the managers of the denominational school in respect of religious teaching, it will find a very wholesome check in the possibility of another school being built."—(Commons, 3rd November, 1902.)

In reply to a question asked in the House of Commons, 13th November, 1902, as to whether under the Education Act an elementary school built by voluntary subscribers, but leased to a school board, would have the status of a school provided by the education authority, or of a school not provided by the education



authority, and what would be the position of such a school after the lease has terminated.

Sir William Anson said: "A school leased to a local education authority will be deemed to be a school provided by that authority. The latter part of the hon. member's question was answered by the First Lord of the Treasury in his reply to the member for Denbighshire West, on the 5th November."

The Report of the Board of Education (1901-2) gives the following statement regarding school provision in England and Wales:

"The schools in England and Wales visited by the Inspectors for the purpose of annual grants, which in 1870 provided for 1,878,584 scholars, or for 8·75 per cent of the population, were in 1901 sufficient for 6,610,416 scholars, or 20·27 per cent of the population.

"Additional accommodation has been provided since 1870, to the extent of 1,850,677 seats by voluntary effort, being an increase of 98·5 per cent, while the average attendance has risen 116·4 per cent, and to the extent of 2,881,155 seats in board schools. In the past year the accommodation in voluntary schools has increased by 5,451, and in board schools by 95,354 places. This additional accommodation has been supplied in several ways:—

"i. In the 12 years ending on the 31st December, 1882, building grants to the amount of £312,200 were paid by the Education Department on the completion of the erection or enlargement of 1,572 schools (with 933 teachers' residences), affording new or improved accommodation for 280,146 scholars. These grants were met by local contributions to the amount of £1,348,169, exclusive of the value of sites given gratuitously.

"ii. The great majority of the remaining voluntary schools, which have come under inspection since 1870, have been erected, enlarged, or improved, without Government aid. The total amount of voluntary subscriptions raised towards such provision during the years 1871-95 has been estimated as amounting to at least £11,000,000."—Report 1901-2, page 14.

**School Savings Banks.**—Thrift and the husbanding of our resources form a subject of the highest importance to the welfare of this country. Few will deny the great value of thrift, but the difficulty presents itself when we seek to find out a practical way to make the men and women of our country thrifty; probably the best solution that has ever been offered is to teach them the lesson when they are boys and girls. It has been said with considerable truth that the art of being thrifty is, like a good many other arts, a very difficult one to acquire, and that it is easier to teach it to children than to men and women.

All children should be taught the true value of money, and a very good text book for the purpose is a school savings-bank book.

Lessons of thrift are likely to produce the best possible effect upon the community generally, and while teaching the children how to save their pennies, we may arm them with one of the best weapons for self-defence in after life.

It is the experience of nearly all who have acquired wealth, or even a competency, that the hardest part of their struggle was to save the first pound, or hundred, or thousand, as the case might be; this secured, the rest seemed to come as a matter of course. To waste our resources is a bad habit. To practise self-denial in checking the needless expenditure of small sums of money is one of the best habits. Either of these may be easily acquired in childhood. The practise of the first is nearly sure to entail misery and suffering in life. The exercise of the second will most likely lead to independence and happiness. The child may, with the assistance of parents and through the school bank, save a few shillings or pounds, and so ultimately acquire a sum of money which will be a welcome assistance should trouble visit the home, or be of great use to him personally when he comes to leave school and needs equipment for work. The child who is so encouraged to save will acquire lifelong habits of prudence and forethought. The possession of a small amount of ready money by a young person entering on life is almost absolutely necessary for his wellbeing; it may enable a young man, by degrees, to become possessed of a house of his own, or to enter into a small business on his own account, and so lay the foundation of a career of usefulness and prosperity.

With such objects in view, some of the school boards, very early in their history, established savings banks in their schools. The Education Department took some notice of the movement, and published certain statistics in their annual reports. In several large towns voluntary associations have been established for the encouragement of penny banks. In 1891, when the Assisted Education Act came into force, the Education Department issued an interesting letter to managers of schools, encouraging them to make some kind of provision in school hours to enable children to deposit their savings.

The Annual Report of the Education Department shows that school banks, which in 1879 were 848, last year numbered 7,056.

It cannot be said that the progress of the movement, as illustrated by these figures, is entirely satisfactory, and the information given is somewhat meagre in character. It would be interesting to know something more of the business carried on in school banks.

There is no doubt that the most successful savings banks in the country are those which have been conducted under the direction of school boards. As an example of this we may quote the town of

Leeds, where the transactions during one year exceeded 1,000,000, and a sum of nearly £20,000 has been deposited in the school savings banks in the same period.

It is a frequent charge against school savings banks that the withdrawals are excessive. In point of fact the amount of withdrawals is not at all a discredit to the banks. It is found by experience that these withdrawals take place at fixed periods of the year, and it is a fact that thousands of children, particularly in manufacturing districts, depend on the amounts put in the school bank for their rig-out of clothes and shoes. The saving of money for this purpose is surely thrift in its highest sense.

The general practice of school boards managing their own banks is to invest money with the Post Office, the local trustee savings bank, or the bankers of the board. Interest is not, as a rule, paid to the children, the object of the bank being to act as a channel of supply to the ordinary savings bank, and when a depositor has saved 20s., the minimum sum which usually carries interest in an ordinary savings bank, the amount is transferred to such a bank.

In a well-arranged system of school banks, it is necessary to have something in the nature of a guarantee fund, to meet the case of any loss of money which may arise in connection with the work. For this purpose it is possible to apply the interest received by the board on the accumulated deposits of the school banks. In the case of one board a large sum of money has been so accumulated, and although in this particular instance there has been deposited during the last twenty years a sum of no less than £300,000, a five-pound note would cover all the losses which have occurred in the school banks of the town. Some of the surplus money derived from interest has been applied to the assistance of education, and in directions to which the board could not apply their school fund.

In connection with school banks, we may state that it is of vital importance that the greatest care should be exercised with regard to the savings of the children. The success of these banks almost entirely depends on the interest taken by the teachers, who, in many districts, devote considerable time and attention to their school banks without any remuneration. In order to have successful school banks, confidence in the managers must be secured. It is necessary, of course, to have rules relative to repayments, but whenever possible it is well to allow money to be withdrawn from the bank in cases of necessity, even without the ordinary notice. Pass books should be promptly handed out to scholars on the day when the bank is open, and care should be taken to encourage all who have deposits over 20s. to have them transferred to the Post Office or Trustee Savings Bank, the obtaining of the necessary deposit book being done through the office of the board.

The arrangement of this branch of useful work is one to which it would be well if local authorities generally gave some thought and attention.

#### BOOKS REQUIRED IN A SCHOOL SAVINGS BANK.

The books required are :—

1. Depositors' Pass Books.
2. The Cash Book.
3. The Ledger.

The officials who conduct the business of the bank are :—

1. The Cashier.
2. The Secretary or Bookkeeper.

The bank should be open only on the day and at the hour appointed in the rules, and no business can be transacted with depositors at any other time.

Each depositor on opening an account shall receive a pass book, showing his number in the ledger, his initials, and the amount of his deposit. The full name of the depositor will appear at the head of his ledger account. The initials only are inserted in the pass book, so that in case the pass book is lost any fraudulent attempt on the part of a finder to withdraw the money may be rendered more difficult of accomplishment. The name and address of the bank, and the time it is held, should be printed on the cover of the pass book, together with the names of the officials of the bank. An abstract of the rules of the bank should be printed on the back of the pass book. The pass book must be produced every time business is transacted with a depositor.

It is the duty of the cashier to receive and pay all moneys, and to enter each transaction in the cash book, giving the depositor's number, his initials, and the amount either deposited or withdrawn. The cashier will also enter the date and the amount in the depositor's pass book, which should then be passed over to the bookkeeper, who will find the account in the ledger and enter the date and amount, copying these particulars direct from the pass book, after which the pass book should be handed back to the depositor. All entries in the pass books and ledger must be initialled by the person making the same. After the close of the business the cash should be at once counted, and the cash book added up in order to ascertain that they correspond. The cash must then be forwarded to the offices of the authority, with an advice note signed both by the cashier and bookkeeper, authenticating the day's transactions, in order that the officer of the authority who has the oversight of the school banks may lodge the amount in the general account at the bank.

Pass books are repeatedly lost by the depositors, and it is a good plan to charge a small sum, say one penny, for supplying a



new book; the balance to the credit of the account being duly entered in the new pass book, and a note made in the ledger that a new book has been issued, so as to prevent fraud.

Each bank should have trustees—say at the least three—these trustees guaranteeing the depositors against loss. As it will be found impracticable to allow interest on deposits so long as they remain in the school bank, there will gradually accumulate at the bank used by the trustees an amount of interest which may in time become a respectable guarantee fund.

#### TRANSFERS.

When any depositor has £1 in the penny bank, he may have an account opened in his own name, either at a Trustee Savings Bank or at the Post Office Savings Bank, whichever the school savings bank works in connection with, and he will then receive interest on the same. Before making any such transfer, the book-keeper should inquire whether the depositor has a pass book with the savings bank: if he has, then he should be requested to bring it; if not, then one of the forms prescribed by the savings bank in the case of new depositors should be filled up, in order that a pass book may be procured. All transfers will be effected through the office of the authority. But when a transfer is made, care must be taken to write off the amount in the school bank pass book, and also in the ledger account of the depositor. Transfers should be entered in the cash book after the repayments.

#### ANNUAL STATEMENT AND AUDIT.

The books should be balanced on the 20th November in each year. The ledger accounts should each be added up, and after the balances due to the depositors have been checked, a list of them should be made, and a total arrived at. This list should be copied in the cash book, and follow the last week in the year. The correctness of this list will be found by comparing it with the summary of the cash book.

Should there be any discrepancy between the total of the balances due to depositors taken from the ledger and the annual statement made up from the cash book, a rigid examination must be made until the cause of difference is discovered. When the books have been balanced, they should be at once forwarded to the authority for audit.

It will save a good deal of trouble at the end of the year when the books have to be balanced, if, during the year, say every three months, the accuracy of the various books is tested by a trial balance. This can easily be done by adding up the various accounts in pencil in the ledger, and then finding their correctness by comparing the total of them with the cash book summary, which should be regularly posted up week by week.

**School Sites Acts.**—The School Sites Acts, 1836, 1841, 1844, 1849, 1851, facilitate the provision of sites for schools, and remove difficulties regarding the granting and conveyance of land by landlords, owners, trustees, corporations, and ecclesiastical authorities. These powers are incorporated in the Education Act by sections 20 (8) and 21 of the Act of 1870.

**School Year.**—The Day School Code defines the School Year in Art. 20.

20. The school year is the year or other period for which an annual Parliamentary grant is for the time being paid or payable under this Code. The grant becomes payable on the first day of the month following the end of the school year. The board at the time of agreeing to place a school on the annual grant list, inform the managers in what month the grant will become payable, and this month continues the same from year to year, unless the board inform the managers of a change.

21. *Educational Year.*—The managers may adopt for purposes of instruction an educational year, which need not be identical with the school year.

There are considerable advantages in having a uniform educational year for all the schools in a district. Such an arrangement facilitates the transfer of children to higher grade schools, and produces uniformity through the whole course of school instruction. Probably the 30th June is the best date for the end of the school year. The revised instructions referring to this matter state:—

“Any school may adopt a distinct year for educational purposes, and the course of lessons may be arranged accordingly. This year can be sub-divided into three or four terms, as may be found convenient. If all the schools in the same district adopt a uniform educational year, children who remove from one school to another at any period of the year will find a class suited to them.”

**Science and Art Teaching.**—Regulated by the South Kensington Secondary Branch of the Board of Education.

The following facts are taken from the 1902 Report of the Board of Education:—

| Description.        | Year | No. of<br>Schools, &c. | Students.    | Total Grant. | Grant<br>per<br>Head. |
|---------------------|------|------------------------|--------------|--------------|-----------------------|
|                     |      |                        |              | £ s. d.      | £ s. d.               |
| Schools of Science. | 1901 | 2 12                   | 26,839 (Day) | 118,833 19 3 | 4 8 7                 |
| Science Classes ... | 1901 | 1,630                  | 44,767 (Day) | 94,148 7 1   | 0 12 8                |
| Schools of Art..... | 1901 | 230                    | 56,213       | 49,222 0 0   | 0 17 6                |
| Art Classes .....   | 1901 | 1,668                  | 125,429      | 73,269 2 8   | 0 11 8                |

## APPLICATION OF ACT TO SCILLY ISLES.

**Scilly Isles.**

Sec. 26. For the purposes of this Act the Council of the Isles of Scilly shall be the local education authority for the Scilly Islands, and the expenses of the council under this Act shall be general expenses of the council. (Act of 1902.)

**Secular Instruction.**—All secular instruction in public elementary schools is under the absolute control of the local education authority.

On the discussion of Clause 7 Mr. Balfour said :

“What he did say, and what he adhered to, was that, so far as secular education was concerned, it was not the managers who should control the voluntary schools, but the education authority.” . . . . . “If a teacher was incompetent adequately to deal with secular education given in the school—if he was not either by his scholastic qualifications, or if, for any other reason, competent to deal adequately with secular education—the education authority should require his dismissal, he had not the slightest hesitation in answering it in the affirmative. In his opinion the education authority had under the Bill, and ought to have it, that power.”—(Commons, 19th October, 1902.)

**Singing.**INSTRUCTIONS AS TO THE INSPECTION OF SINGING IN PUBLIC  
ELEMENTARY DAY SCHOOLS.*Vocal Music—General Objects.*

“Some of the objects sought for in including vocal music in the school curriculum may be stated as follows :—

To provide a healthful and pleasant form of collective indoor occupation, and, through the words of songs, a possible moral and educative force. Words, as a rule, are more permanently memorised through music than in any other way.

To develop musical faculties in order that children may in after life be able to appreciate the best music as listeners and performers.

To furnish knowledge of musical facts and notation that will enable children to read simple music at sight and generally to understand music intelligently.

To train and preserve the voices of children, not only with a view to the attainment of tasteful and agreeable execution during school life, but with a view to the potentialities of the children as adult singers.

To store children's memories with patriotic, national, and folk songs, the words of which are suitable for school use. Such an aim does not necessarily exclude or condemn the use of other music found useful and interesting for school entertainments and other purposes.

To cultivate the power to sing tunefully in parts, not only for present edification and culture, but to fit children to become in after life executants of the rich repertory of choral music which we have inherited in this country, and which is continually being added to by living composers."—Revised Instructions (Appendix 4).

**Sites: School.**—The first necessity for a school is, of course, a suitable site. This, particularly in large towns, is sometimes a difficult matter. In connection with many criticisms of school plans, particularly upon the question of lighting, it would frequently appear that most of the remarks would be of value if the school had to be erected, say, in the middle of an American prairie; but contending, as we frequently have to do when providing town sites, with rights of light, access from streets, and a variety of circumstances over which we have no control, it does seem that it would be a good thing if those who criticise plans would take into account the *environment* of the proposed school. Premising that you have, in a fairly good position, a plot of land an acre or an acre and a half in extent, upon which you propose to erect your school, say for 1,000 or 1,200 children—and it may be mentioned that this amount of land is the minimum required by the rules of the Board of Education for new schools—we will proceed to consider certain matters affecting sites generally. It is undoubtedly of great importance to obtain if possible large sites, an inducement in this direction being that many of the new board schools are now required in outlying districts where land is comparatively cheap. There should be no unnecessary restrictions of the amount of land purchased in the first instance; in fact, it is very often the truest economy to buy rather more land than is immediately required. Many school boards find, particularly in connection with their older schools, the fatal mistake which was made in buying small and restricted sites in the first instance, now that they are desirous of improving such schools or extending their accommodation.

Before any agreement for the purchase of the land is entered upon, it is well to have trial holes or borings made, to make sure that it is not filled-up land, where there may be trouble in getting a foothold for the foundations. And it is well to consult the ordnance map, to make sure that no culverted brook runs under the site, a not unknown contingency in big towns, where streams have frequently been converted into sewers. If the land is bought on a ground rent, it is also well to find out whether the vendor will sell "out and out," and at what price. In the *negotiations for purchase* a less number of years' purchase will frequently be taken than would be asked when the school is once placed on the site.

The plot of land secured must be sufficiently large to give ample playgrounds for the children, and consequently there should be no necessity to consider the matter of roof playgrounds



or any utilisation of possible basement space to extend the playground accommodation. It is essential that the front of the building should, if possible, face the south, and many of the most experienced architects so arrange that the school shall stand as far back as possible from the main thoroughfare giving access to the school premises. This means that the greater part of the playgrounds are in front of the school. There should be space at the back for the necessary latrines and offices, and also space for a reasonable distance between the school and these appurtenances. This arrangement of the schools is of great value in noisy neighbourhoods, as it reduces the hindrance to teaching arising from the traffic in streets which are frequently paved with stone setts. There is no doubt that it also to a considerable extent adds to the safety of the children, who can be overlooked at play, and who when leaving school emerge into the playground instead of, as is sometimes the case, into a crowded street where there is danger from the vehicular traffic. It would be well to arrange the caretaker's house so that he can overlook the greater part of the playgrounds. The site may be fenced with a dwarf wall, on which is placed an unclimbable fence. It is necessary to divide the playgrounds into two parts, one for girls and infants, and one for boys: the division may be by means of another unclimbable fence running down the centre of the playground to the centre of the boundary wall, there being a like division at the back in connection with the offices. Walls will, in some cases, be preferred. This arrangement of the playgrounds is one which is frequently adopted in Scotland, where we find very capital examples of board school architecture, which in some of their features have never been excelled in this country.

Speaking generally of the site, the selection, in populous districts where land is costly, has to be made with the question of expense in view, and the Board of Education make allowance as to area on this account, particularly where it is necessary to build schools in the centres of large towns. It is well, in selecting a site, to bear in mind the shape of the school which is to be erected on it, in order that such school may, if possible, be built longitudinally from east to west. Where there is a choice of sites, those that are surrounded by tall buildings, which exclude both light and air, should be rejected, and if the site is on rising ground there are decided advantages to be obtained. The subsoil is a matter which should not be overlooked; if possible it should be of gravel, solid sand, or rock, rather than clay, the former being more healthy in character than the latter. When, however, it is inevitable that we should build upon clay, it is necessary that provision should be made for a land drain, formed along the sides of the outer portions of the foundations, by means of which the building can be kept dry. Care should be taken in selecting

the site, that it should be possible to drain the same from the public sewers, so that the upper ends of such drains may be utilised at at least eighteen inches below the basement of the proposed buildings. Difficulties have frequently arisen where this has been overlooked, when it has been found that the street drain was too low to carry off the drainage of the cellars and basement accommodation.

In the selection of a site for a public elementary school, the rules of the Board of Education must be complied with. These rules are as follow :—

#### SITES AND PLAYGROUNDS.

“Every school should have an open airy playground proportioned to the size and needs of the school, and the site should, if possible, have a building frontage in proportion to its area. The minimum size of site is, in the absence of exceptional circumstances, a quarter of an acre for every 250 children. If the school is of more than one storey this area may be proportionally reduced ; but the minimum unbuilt on or open space of 30 square feet per child should be preserved.

(a) In the case of a mixed school, playgrounds should be separate for the boys and girls.

(b) All playgrounds should be fairly square, properly levelled, drained, inclosed, and fitted with some simple appliances. A portion should be covered, having one side against a wall. A covered-way should never connect the offices with the main building. Buttresses, corners, and recesses should be avoided.

(c) An infant school should have its playground on the same level as the school, and open to the sunshine.”

**Staffing of Schools.**—Article 73 of the Day School Code determines the *minimum* school staff required, as follows :—

|  |          |
|--|----------|
| Principal certificated teacher, average attendance of... | 50       |
| Certificated assistant teacher                           | ... 60   |
| Assistant teacher (Ex. P.T., etc.)                       | ... 45   |
| Provisional assistant teacher,                           | } ... 30 |
| Article 68 teacher, and                                  |          |
| each pupil teacher                                       |          |
| Probationers   | ... 20   |

The number of children habitually present at one time must not exceed by more than 15 per cent, the number for which their teacher is sufficient.

Temporary monitors may supply vacancies during year, each counting as a pupil teacher, but a duly qualified teacher must be appointed not later than the first day of the next school year.

This does not apply to the office of principal teacher (Art. 74.)

Notice of change of staff must be sent to Board of Education during year.

Date of birth of the new teacher, name of school in which last employed, and of that in which pupil teachership, if any, was served, should be specified (Art. 75).

**Standing Orders for Meetings, &c.**—The following is a form of standing orders which may be easily adapted for any education committee. Note, by first schedule of the Act of 1902 the council may make regulations as to the quorums, proceedings, and place of meetings of committee.

#### STANDING ORDERS.

*Regulations with respect to Summoning, Notice, Management, and Adjournment of the Meetings of the Education Committee.*

#### TIMES OF MEETINGS.

1. The ordinary meetings of the committee to be held on the third Thursday in each month, at three o'clock in the afternoon.

2. A special meeting of the committee, for the appointment of chairman, vice-chairman, and sub-committees, to be held at      o'clock in the      on the      November, after each annual election of members, unless that date be Saturday or Sunday, in which case the meeting shall be held on the Monday immediately following, at the same hour.

3. An extraordinary meeting may be held at any time on the written requisition of      members of the committee, addressed to the      The requisition and notice to state the object of such meeting.

4. An adjourned meeting for completing business may be held at any time fixed by resolution of adjournment.

#### NOTICES OF MEETINGS.

5. Notice of meetings to be posted to each member of the committee :—

- (a) For Ordinary Committee Meetings, not later than the ——— preceding the date of such meeting.
- (b) For special or extraordinary meetings, at least 24 hours before the time fixed for such meeting.
- (c) For meetings held by adjournment to complete business at least 24 hours previously, if practicable.
- (d) For a meeting at which it is proposed to rescind any resolution, ——— clear days. The notice to quote a resolution, or the part of a resolution, which it is proposed to rescind.

#### NOTICES OF MOTION.

6. Notice, in writing, to be given of any motion intended to be made at a committee meeting ; such notice to be signed by the intended mover, and delivered to the clerk (for entry in the notice of motion Book and on the agenda paper) before four o'clock on the ——— afternoon previous to the day of meeting, or in case the meeting be held on any other day than (insert ordinary day of meeting) ——— clear days before the meeting. This is no way to interfere with matters covered by Standing Order 8 (a), or necessary motions brought on with the unanimous consent of the Committee.

#### QUORUM OF COMMITTEE.

7. ——— members to form a quorum.

# PROCEDURE AT MEETINGS OF COMMITTEE.

8. At ordinary meetings of the committee, after the minutes of the last ordinary meeting, and of any adjourned or special meetings, held subsequently, have been signed by the chairman as correctly recorded, the order of business to be as follows, unless changed by resolution of the committee :—

- (a) Business brought forward under the direction of the chairman or acting chairman.
- (b) The reception and confirmation, or otherwise, of reports and proceedings of sub-committees.
- (c) Questions of which as far as possible 48 hours' notice to be given to the chairman of the committee, or to chairmen of sub-committees.
- (d) Any business adjourned from previous meetings.
- (e) Motions, in the order in which notices have been received.

9. Members to stand when speaking, and address the chair.

10. All motions to be in writing, signed by the intended mover and seconder ; and all amendments to be in writing, signed by the mover ; all motions and amendments to be handed to the clerk and read previous to being spoken upon. After an amendment has been spoken upon by the mover, no discussion to be allowed upon it until it be seconded.

11. No business under any notice to be proceeded with in the absence of the member of the committee in whose name it stands, unless he shall have given his consent, in writing, to its being taken up by some other member, or unless it be business which by law the committee must transact. The notice to lapse if the business be not so taken up.

12. No member to speak more than once on the same motion (unless in explanation, subject to the control of the chairman), except the mover of a proposition in reply, which reply is to conclude the discussion ; but in such reply no new matter shall be introduced.

13. No member to speak on an amendment if he has already spoken on the subject under discussion (unless in explanation, subject to the control of the chairman), except the mover of the original proposition in reply, until such amendment be carried and becomes the substantive proposition ; but in the case of two or more amendments being moved, each raising a distinctly new matter, any member may speak upon each unless he has already spoken on the original motion.

13 (a). Amendments to resolutions for the adoption of reports of committees to be in either one or other of the following forms, or as near thereto as may be, viz. :—That so much of the report or reports of the Committee, dated as relates to be not approved and adopted ; or

That paragraph of the report of the Committee, dated 19 , on of printed minutes, be not approved and adopted.

(If alternative be proposed, continue the same in either form.

And if any such amendment be carried, it shall not itself become an original question, but the original resolution shall be thereupon put again in the form of an approval and confirmation of the minutes of committee, as altered by the amendment so carried, and so on until all amendments are disposed of, and the minutes can be finally agreed to.

# QUESTIONS TO BE PUT WITHOUT DISCUSSION.

14. No discussion is to be allowed on—

- a A motion for giving precedence to any particular business on the notice paper.
- b A motion for proceeding to the next business : such motion not to be deemed to be carried unless voted for by at least two-thirds of the members present.



(c) A motion for the adjournment of the committee.

(d) A motion for the adjournment of the debate.

#### AS TO AMENDMENTS.

15. All amendments to be distinctly relevant to the question before the committee.

16. No member to move more than one amendment on the same subject.

17. No second amendment to be taken into consideration until the first amendment has been voted upon or withdrawn.

18. If a first amendment be carried, it displaces the original proposition, and becomes itself the substantive proposition, whereupon an amendment to the displacing or substituted proposition may be moved.

19. If a first amendment be negatived, then a second may be moved, and so on.

#### ADJOURNMENT OF DEBATE.

20. The mover of a resolution by which a debate has been adjourned to have the right of speaking first when the debate is resumed, if he be present at the time.

#### ADJOURNMENT OF COMMITTEE.

21. If the committee adjourn to a subsequent day, for the purpose of completing business upon the notice paper, such business to be taken up in the same order from the point at which the adjournment took place, unless otherwise determined by resolution.

#### RECORD OF ATTENDANCES.

22. A record to be kept of the attendance of members at meetings of the committee, and at meetings of each sub-committee. A summary of such record to be laid before the committee at the ordinary meeting in November in each year.

#### SUB-COMMITTEES.

23. The chairman and vice-chairman of the board to be *ex-officio* members of every sub-committee.

24. Each sub-committee to elect its own permanent chairman, and, in his absence, an acting chairman.

25. In case of an equality of votes at any meeting of sub-committee the chairman or acting chairman of such sub-committee to have a second or casting vote.

26. Three members to form a quorum of any standing sub-committee.

27. The clerk, at the request of the chairman of a sub-committee, or at the request, in writing, of two members of such sub-committee, to call a special meeting of such committee.

28. The reports of all sub-committees to be presented at the following meeting of the committee.

29. The period of the continuance of every sub-committee to be until the ordinary meeting of the committee in the November after appointment, unless sooner determined, or until successors are appointed, except in the case of sub-committees existing immediately prior to the elections of members of the committee, which committees are to terminate on the 28th November.

#### REPORT TO COUNCIL.

30. A monthly report of the proceedings of the committee shall be laid before the council, in accordance with the scheme constituting the committee.

**Statistics.**—See pages 103 and 104.

**Street Trading by Children.**—The class of children committed to certified industrial schools is largely recruited from those who have been engaged in street hawking. Statistics have been published by the school board of one large town showing that fully 66 per cent of the children brought before the magistrates by the board have been so engaged. It is not, of course, to be assumed that hawking had of necessity caused them to fall into bad ways—but all who have been engaged in dealing with industrial school cases know that the streets form the worst possible school for children.

The evils arising from the presence upon the streets of children at all hours of the night engaged in selling newspapers, matches, and other articles, have long been recognised, and to a certain extent have, in some towns, been dealt with by placing special officers on duty in the streets during the evening in order to carry out the provisions of the Prevention of Cruelty to Children Act, 1894.

Under the sections of the Prevention of Cruelty Act, 1894, all street trading by children under the age of eleven years is an offence, and boys under fourteen and girls under sixteen must not be so engaged between the hours of 10 p.m. and 5 a.m. Admirable as these provisions are, they do not go far enough. What is urgently required is that whilst children of very tender years should be prohibited from selling at any time, all who are of a proper age to be so engaged should be licensed for this purpose, and that control should be placed in the hands of the police, who are always on duty in the streets, whilst the attendance officers cannot be so.

To ensure this legislation is necessary. To the credit of Liverpool the Council of that City obtained legislation in 1898. It is well to emphasise the fact that it is not sought that proposed legislation should interfere with street trading; all that is required is that it should be properly regulated in the interests of the public, and particularly in the interests of the children concerned.

This is a matter which seriously interests authorities, as it affects school attendance, and concerns the moral welfare of a great number of children, especially in large towns.

Captain W. Nott-Bower (then Chief Constable of Liverpool), in evidence before a Select Committee of the House of Commons, stated in support of the Liverpool Bill (containing clauses dealing with street trading) on June 14th, 1898, that a large number of children were engaged in Liverpool in selling matches and newspapers, "using them as a cover for begging in many cases," the ages of these children running "from four or five up to fifteen or sixteen," quite one half of them being girls. Speaking of the condition of these children, Captain Nott-Bower said "they are very poorly clothed—half-naked a great number of them. To

show you that they avail themselves of that want of proper clothing for gaining sympathy in selling their wares and getting alms, I may say that within the last three years the Liverpool Police Aided Clothing Association have had 10,500 children brought before them who were improperly clothed, and that it has been brought forcibly to the notice of the association that these children will not be clothed. When found half-naked, and taken by the police to the association to be clothed, they have refused to be clothed, and they have given as the reason that it would interfere with their trade."

Speaking of the effect of this description of life on the children engaged in it, Captain Nott-Bower said, "I think it both detrimental to the health, the education, and the morals of the children. I am sorry to say with regard to girls a very large number of them are very little better than young prostitutes, and a large proportion of them drift into prostitution later on."

Captain Nott-Bower said that the existing law was inadequate to deal with this state of things in Liverpool. With regard to the existing law, under the Industrial and Reformatory Schools Acts, a child can only be brought before a magistrate if it has been found begging or "wandering, or not having any home or place of abode, or proper guardianship, or visible means of subsistence, or is found destitute either being an orphan, or having a surviving parent who is undergoing penal servitude or imprisonment, or that frequents the company of reputed thieves, or that is lodging, living, or residing with common or reputed prostitutes, or in a house resided in, or frequented by prostitutes for the purpose of prostitution." Captain Nott-Bower gave at length the reasons why the law was powerless to deal with the case of street children. Speaking of the advantages of the license system to the children, he said—"One of the first conditions imposed would be that the children would be properly clothed, and there would be no difficulty about that, because if a child is not in a position to provide clothes, the Police Aid Association\* would be happy to provide clothing for the child. No children can be prevented, by the impossibility of getting clothes, from getting a license. At present they will not have the clothes, because they can command more sympathy without clothes." He thought that a system of badges would tend in itself to raise the *morale* of the children. The whole carrying out of the scheme would be subject to bye-laws sanctioned by a Government department. Captain Nott-Bower thought that the ages inserted in the Bill, viz., fourteen in the case of boys, and sixteen in the case of girls, to be reasonable. Also that it was desirable in the interests of the

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\* This is a Voluntary Association in Liverpool, working in conjunction with the Police. There are similar Associations in Birmingham and Manchester. (Secretary, Mr. W. R. C. Clarke, 14, St. Ann's Square, Manchester.)

child that the magistrates should have power, if they are satisfied that the child was found trading without a license or in contravention of the conditions, and that it has no proper home, or that it would be to the interest of such child to be separated from its parents or guardians, to order the child to be committed to the custody of a relative or some other fit person named by the court, such relative or other person being willing to undertake such custody until it reaches the age of sixteen years, or for any shorter period, or to be sent to an industrial school. Captain Nott-Bower agreed that a bad home in too many cases has been the start of the child on its downward career. Summing up what he had said after his experience of seventeen years, the Chief Constable added—"The condition of affairs in Liverpool is a positive scandal. . . . I am constantly getting letters written in the strongest terms from strangers in Liverpool drawing my attention to the fact of the conduct of these children who are sent round at all hours of the night selling papers, half clothed, up to seven, eight, nine, and ten o'clock at night. It is really little short of a scandal, and powers are certainly needed, in Liverpool at all events, for the control of the trade." Speaking of the powers sought with regard to the licenses, Captain Nott-Bower said, in reply to Mr. H. J. Wilson, M.P. (chairman of the committee): "The intention is to use the power almost entirely for the benefit of the children. The intention is to license all the children, and allow them to carry on the trade in such a manner that it should not be detrimental to their health, their education, or their morals." He referred to some cases of dreadful depravity of certain girls, and said that in such cases the license would certainly be withdrawn because they were not conducting their trade properly; but there was no intention of instituting a strict inquiry into the character of the children before granting the license, and, in reply to Sir Henry Bemrose, M.P. (a member of the committee), Captain Nott-Bower said the primary object was to get the children under control. Adverting to the fact that the "Prevention of Cruelty to Children Act, 1894," does not prohibit a child under eleven selling in the streets, but makes it an offence for a parent or person having the custody of a child to send out that child to beg in the first instance, or offer for profit anything for sale between ten in the evening and five in the morning, which are the prohibited hours, Captain Nott-Bower said that during the past three years the average number of children found in the streets and taken to a place of safety for either begging or selling during the prohibited hours has been 1,144 per year. Of that number he had only succeeded in proving sixty-six parents amenable under the "Prevention of Cruelty to Children Act."

Mr. R. Peacock, the Chief Constable of Manchester, reporting on the same subject, states: "There is not, in my opinion, the



slightest doubt but that street hawking in the centre of the city and its associations have a great tendency to lead boys to become thieves, loafers, and idle and disorderly persons, and many instances can be given of boys becoming thieves who have been hawkers in the public streets. On the other hand, there are a number of respectable working men known to the police who were previously street hawkers.

I am also of opinion that girls hawking in the streets are placed in great danger, especially at night, and that the practice is conducive to girls falling into degraded habits, and eventually becoming prostitutes.

In most cases, in the centre of the city, inquired into for the purpose of this report, it was found that the parents benefited by the children going on the streets to hawk, and that they came from very destitute homes.

In dealing with this matter I have thought it best, as far as possible, to put the case for further legislation in the words of those who have official experience. I do not know that anything further need be added to prove the urgency of the need which exists for the regulation of street trading by children. By the Liverpool Corporation Act, 1898, sec. 31, and by the Manchester Corporation Act, 1901, such powers have been obtained. The following are the provisions of the latter Act.

EXTRACT FROM MANCHESTER CORPORATION ACT, 1901.

*Section 39.*

39. The following provisions shall have effect with reference to children trading in the streets—that is to say :—

- (1) "Child" shall mean a boy or girl under the age of sixteen years ;  
 "Trading in the streets" shall mean vending papers, small wares, and other articles in any street in the city ;  
 "Place of safety" shall have the same meaning as in the Prevention of Cruelty to Children Act, 1894 ;
- (2) The Corporation may make regulations as to the conditions upon which licences authorising children to trade in the streets shall be granted, continued, suspended, and revoked, including conditions as to the age and sex of children to whom licences may be granted, conditions for the issue and wearing of badges, and for the regulation of the conduct of children holding licences and of the hours during which the places where and the conditions under which they may trade in the streets. The regulations shall be subject to the approval of the Secretary of State, and shall, both before and after such approval is given, be published in such manner as the Secretary of State may direct, provided that such regulations shall not impose any restriction on the grant of licences on the grounds of the poverty or the previous bad character either of the child or of its parents or guardians ;
- (3) Subject to such regulations the Corporation may grant a licence to any child authorising him to trade in the streets, and after such day as may be fixed in the regulations or such later day (hereinafter

referred to as "the appointed day") as may be fixed by the Secretary of State no child shall trade in the streets unless provided with a licence under this section ;

- (4) Any constable may take into custody without warrant any child found after the appointed day trading in the streets without a licence or in contravention of the conditions of his licence, and may convey him to a place of safety, and he may be there detained until he can be brought before a court of summary jurisdiction, and that court may make such order as is mentioned in the next following sub-section.
- (5) Where it appears to a court of summary jurisdiction that a child has been found trading in the streets without a licence or in contravention of the conditions of his licence, the court may, if satisfied on inquiry that it is expedient so to deal with him—
  - (a) Order that the child be taken out of the custody of the person purporting to have the custody, charge, or care of him, and be committed to the custody of a relative of the child or some other fit person named by the court (such relative or other person being willing to undertake such custody) until he reaches the age of 16 years or for any shorter period, and the provisions of sections 7 and 8 of the Prevention of Cruelty to Children Act, 1894, shall so far as applicable, and with the necessary modifications, apply as if the order had been made under that Act, and the court may of its own motion or on the application of any person by order renew, vary, and revoke any such order ;
  - (b) Order that the child if he be under the age of 14 years be sent to an industrial school, and thereupon all the provisions of the Industrial Schools Acts shall apply as if the child had been so sent under those Acts ; or
  - (c) In the case of a child found trading without a licence, the court may in lieu of making such order impose on summary conviction a penalty not exceeding 10s.
- (6) The Corporation may contribute the whole or part of the expense of the education and maintenance of any child dealt with under the preceding sub-section ;
- (7) Any person who having the custody, charge, or care of a child allows him after the appointed day to contravene the provisions of this section or any of the regulations made hereunder shall on summary conviction be liable to a fine not exceeding 20s. for each offence ;
- (8) The Corporation in their discretion may contribute to the expenses of any lodgings for children licensed by them under this section, and may pay wholly or in part for the boarding of such children, and may also contribute to the provision of clothing for children licensed under this section ;
- (9) The Corporation shall appoint such inspectors and other officers as they may deem necessary for the purpose of administering or assisting in the administration of the foregoing provisions and for the purpose of periodically visiting the houses of persons to whose custody any children have been committed under this section and lodgings mentioned in the preceding sub-section, with the object of securing the proper treatment of such children ;
- (10) Any expense incurred by the Corporation in the execution of this section shall be defrayed out of the city fund.

## CHILDREN TRADING IN STREETS.

Regulations made by the Lord Mayor, Aldermen, and Citizens of the City of Manchester, acting by the Council, as to the conditions upon which licences authorising children to trade in the streets shall be granted, continued, suspended, and revoked pursuant to the Manchester Corporation Act, 1901.

1. No licence shall be granted to any child under 12 years of age.
2. All children over that age, being boys or girls under 16, shall (except as hereinafter provided) be entitled to be licensed, provided the Corporation are satisfied—

- (a) That they intend to trade in the streets of the city;
- (b) That they are not unfit to trade through being sickly, blind, deaf, dumb, deformed, or mentally deficient;
- (c) That they have the consent to their being licensed of the persons purporting to have the custody, charge, or care of them, if such persons are fit persons and have fit homes.

If the person having the custody, charge, or care of any child is not a fit person, or has not a fit home, the consent of such person shall not be necessary to the child's being licensed.

Provided that in the case of girls under the age of 14 it shall be a condition of the licence that they shall not trade within an area of one mile from the Town Hall.

3. Licenses shall be granted to the 30th September, 1902, only, and thereafter from year to year on application.

4. Every licence-holder shall also receive a badge. These badges will be of two sorts, distinguishing children exempt, and not exempt, from school attendance.

5. No charge shall be made either for the licence or the badge. A deposit of 6d. shall be left on the issue of a badge, which will be refunded on its return. The Watch Committee may, however, forego this deposit when they consider the circumstances of the child make it desirable.

6. Any licence may be suspended or revoked by the Watch Committee, in consequence of (a) conviction of the holder summarily or upon indictment for any offence; (b) its being used as a cloak for begging, immorality, imposition, or other improper purpose; (c) failure to notify the Watch Committee within one week of any change in the holder's place of residence; or (d) any breach of the conditions upon which it is issued.

7. The following are the conditions upon which the licences will be issued, viz. :—

- (a) No licensed child shall be in any street for the purpose of trading after 8 o'clock at night between the 1st October and the 31st March, or after 9 o'clock at night between the 1st April and the 30th September.
- (b) No licensed child shall trade in the streets unless decently and sufficiently clothed.
- (c) No licensed child shall, while trading, be assisted by any unlicensed child.
- (d) No licensed child shall trade at any time unless wearing his or her badge in the appointed way.
- (e) No licensed child shall in any way alter, deface, lend, sell, pawn, transfer, or otherwise dispose of its badge.
- (f) No licensed child shall enter any premises licensed for the sale of any intoxicating liquor for consumption on the premises, or licensed according to law for public entertainment, for the purpose of trading or delivering goods.

- (g) No licensed child trading in any street shall obstruct any passenger or annoy him by importunity. Every licensed child shall obey the orders of any constable given for the purpose of preventing the obstruction or annoyance of passengers.
- h No licensed child, unless exempt from school attendance, shall trade in the streets during school hours.
- (i) Every licensed child under 14 years of age shall, unless holding a certificate of exemption issued by the School Board, attend school as required by the Elementary Education Acts or by any bye-law of the School Board; and shall, unless he can show a reasonable excuse, produce to an authorised officer of the Corporation, on the 30th June, 30th September, 31st December, and 31st March in each year, a certificate of having so attended, to be issued by the School Board.
- j Every child shall observe and obey the provisions of the Manchester Corporation Act, 1901, and of the bye-laws of the Corporation with respect to street offences, as embodied in printed instructions to be given to each child when its licence is granted.

8. On and after the twenty-fifth day of March, one thousand nine hundred and two, no child shall trade in the streets unless provided with a licence, in accordance with the above regulations.

*Approved by Home Secretary, 12th February, 1902.*

See Wage-earning Children, page 296.

**Subjects of Instruction.**—Infants' Schools, page 134, and for still older scholars page 184. For subjects of instruction in Evening Schools see page 84.

## Superannuation of Officers.

THE EDUCATION BILL, 1902, SECOND SCHEDULE.

- 16. The officers of any authority whose property, rights, and liabilities are transferred under this Act to any council shall be transferred to and become the officers of that council, but that council may abolish the office of any such officer whose office they deem unnecessary.
- 17. Every officer so transferred shall hold his office by the same tenure and on the same terms and conditions as before the transfer, and while performing the same duties shall receive not less salary or remuneration than heretofore, but if any such officer is required to perform duties which are not analogous to or which are an unreasonable addition to those which he is required to perform at the date of the transfer, he may relinquish his office, and any officer who so relinquishes his office, or whose office is abolished, shall be entitled to compensation under this Act.
- 18. A council may, if they think fit, take into account continuous service under any school boards or school attendance committees in order to calculate the total period of service of any officer entitled to compensation under this Act.
- 19. If an officer of any authority to which the Poor Law Officers' Superannuation Act, 1896, applies is under this Act transferred to any council, and has made the annual contributions required to be made under that Act, the provisions of that Act shall apply, subject to such modifications as the Local Government Board may by order direct for the purpose of making that Act applicable to the case.
- 20. Any local education authority who have established any pension scheme, or scheme for the superannuation of their officers, may



admit to the benefits of that scheme any officers transferred under this Act on such terms and conditions as they think fit.

21. Section 120 of the Local Government Act, 1888, which relates to compensation to existing officers, shall apply as respects officers transferred under this Act, and also (with the necessary modifications) to any other officers who, by virtue of this Act or anything done in pursuance or in consequence of this Act, suffer direct pecuniary loss by abolition of office or by diminution or loss of fees or salary, in like manner as it applies to officers transferred under this Act, subject as follows:—

- (a) Any reference in that section to the county council shall include a reference to a borough or urban district council; and
- (b) References in that section to “the passing of this Act” shall be construed, as respects a case of relinquishment of powers and duties, as references to the date on which the relinquishment takes effect; and
- (c) Any reference to powers transferred shall be construed as a reference to property transferred; and
- (d) Any expenses shall be paid out of the fund or rate out of which the expenses of a council under this Act are paid, and if any compensation is payable otherwise than by way of an annual sum, the payment of that compensation shall be a purpose for which a council may borrow for the purposes of this Act.

LOCAL GOVERNMENT (ENGLAND AND WALES) ACT, 1888.

- 120.—(1) Every existing officer declared by this Act to be entitled to compensation, and every other existing officer, whether before mentioned in this Act or not, who by virtue of this Act, or anything done in pursuance of or in consequence of this Act, suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary, shall be entitled to have compensation paid to him for such pecuniary loss by the county council, to whom the powers of the authority, whose officer he was, are transferred under this Act, regard being had to the conditions on which his appointment was made, to the nature of his office or employment, to the duration of his service, to any additional emoluments which he acquires by virtue of this Act or of anything done in pursuance of or in consequence of this Act, and to the emoluments which he might have acquired if he had not refused to accept any office offered by any council or other body acting under this Act, and to all the other circumstances of the case, and the compensation shall not exceed the amount which under the Acts and rules relating to Her Majesty’s Civil Service,\* is paid to a person on abolition of office.

- 2 Every person who is entitled to compensation, as above mentioned, shall deliver to the county council a claim under his hand setting forth the whole amount received and expended by him or his predecessors in office, in every year during the period of five years next before the passing of this Act, on account of the emoluments for which he claims compensation, distinguishing the offices in respect of which the same have been received, and accompanied by a statutory declaration under the Statutory Declaration Act, 1835, that the same is a true statement according to the best of his knowledge, information, and belief.

\* See Treasury Minute, page 267.

- (3) Such statement shall be submitted to the county council, who shall forthwith take the same into consideration, and assess the just amount of compensation (if any), and shall forthwith inform the claimant of their decision.
- (4) If a claimant is aggrieved by the refusal of the county council to grant any compensation, or by the amount of compensation assessed, or if not less than one-third of the members of such council subscribe a protest against the amount of the compensation as being excessive, the claimant or any subscriber to such protest (as the case may be) may, within three months after the decision of the council, appeal to the Treasury, who shall consider the case and determine whether any compensation, and if so what amount, ought to be granted to the claimant, and such determination shall be final.
- (5) Any claimant under this section, if so required by any member of the county council, shall attend at a meeting of the council and answer upon oath, which any justice present may administer, all questions asked by any member of the council touching the matters set forth in his claim, and shall further produce all books, papers, and documents in his possession or under his control relating to such claim.
- (6) The sum payable as compensation to any person in pursuance of this section shall commence to be payable at the date fixed by the council on granting the compensation, or, in case of appeal, by the Treasury, and shall be a speciality debt due to him from the county council, and may be enforced accordingly in like manner as if the council had entered into a bond to pay the same.
- (7) If a person receiving compensation in pursuance of this section is appointed to any office under the same or any other county council, or by virtue of this Act, or anything done in pursuance of or in consequence of this Act, receives any increase of emoluments of the office held by him, he shall not, while receiving the emoluments of that office, receive any greater amount of his compensation, if any, than, with the emoluments of the said office, is equal to the emoluments for which compensation was granted to him, and if the emoluments of the office he holds are equal to or greater than the emoluments for which compensation was granted, his compensation shall be suspended while he holds such office.
- (8) All expenses incurred by a county council in pursuance of this section shall be paid out of the county fund, as a payment for general county purposes.

#### COMPENSATION TO CIVIL SERVANTS ON ABOLITION OF OFFICE.

The Treasury Minute relating to compensation is as follows: The award of compensation allowance to established civil servants on the abolition of their offices is regulated by Section 7 of the Superannuation Act of 1859, which provides that :—

“It shall be lawful for the Commissioners of the Treasury to grant to any person retiring or removed from the public service in consequence of the abolition of his office, or for the purpose of facilitating improvements in the organisation of the department to which he belongs by which greater efficiency and economy can be effected, such special annual allowance by way of compensation as, on a full consideration of the circumstances of the case, may seem to the said Commissioners to be a reasonable and just compensation for the loss of office; and if the compensation shall exceed the amount to which such person would

have been entitled under the scale of superannuation provided by this Act, if ten years were added to the number of years which he may have actually served, such allowance shall be granted by special minute, stating the special grounds for granting such allowance, which minute shall be laid before Parliament, and no such allowance shall exceed two-thirds of the salary and emoluments of the office.

"In calculating allowances under this section it is the practice of the Treasury to award as many sixtieths of the officer's emoluments as he has served complete years, with a special addition on account of abolition of office, not exceeding the following scale, viz. :—

| Actual service.                | Addition. |
|--------------------------------|-----------|
| 20 years or upwards .....      | 10/60     |
| 15 years and less than 20..... | 7/60      |
| 10 years and less than 15..... | 5/60      |
| 5 years and less than 10 ..... | 3/60      |
| Under 5 years .....            | 1/60      |

"When the duties of the situation have not been such as to require that the holder should give his whole time to the public service, such deduction is made from the amount of compensation allowance for which he would otherwise be qualified as the Treasury may consider reasonable. As a rule the deduction is one-fourth of the whole. It must be observed that all awards under the section are at the absolute discretion of the Treasury, and are subject to modification if the Board consider that the circumstances of the particular case require it."

#### NOTES.

1. *The Offices of Clerk and Treasurer of the School Board* are abolished by the repeal of the words "a clerk and treasurer, and others," in Section 35 of the Act of 1870. (Part II. of Fourth Schedule of Act of 1902.)

2. *Continuous Service*.—To meet the case of clerks and other officers who have served more than one school board, or school attendance committee, the words of Sub-section 16 of Second Schedule were inserted by the Government on "representations made by the school board clerks." Though optional in form, the provision is practically obligatory, seeing that the Treasury, on appeal being made, would no doubt take it into account in making their decision.

3. *Poor Law Superannuation and Local Superannuation Schemes*.—Additional clauses have also been added to the Second Schedule of the Bill in order to protect the cases of officers coming within the terms of the Poor Law Superannuation Act, 1896, and also the following, regarding superannuation schemes now in force in certain districts :—

Any local education authority who have established any pension scheme or scheme for the superannuation of their officers may admit to the benefits of that scheme any officers transferred under the Act on such terms and conditions as they think fit.

4. *Appointments Subject to Definite Notice.*—The representatives of the school board clerks received authoritative assurances that, with regard to the cases of officers dismissable at one month's notice, &c., although the Treasury "once treated these officers differently from officers dismissable at pleasure, *the practice has now been discontinued.*"

**Supply of Teachers.**—See next article: also King's Scholarships, page 144.

**Teachers.**—Article 31 of the Day School Code prescribes the Classes of Teachers for Public Elementary Schools. *Classes of Teachers.*—The teachers recognised by the Board are—(a) probationers; (b) pupil teachers; (c) provisional assistant teachers; (d) assistant teachers; (e) provisionally certificated teachers; (f) certificated teachers; (g) women approved by the Inspector as additional teachers.

32. *Teachers to be Lay Persons.*—Lay persons alone are recognised as teachers.

The following Table gives a summary of Teachers' qualifications for Public Elementary Schools:

| (a)  | Probationers. | (b)  | Pupil Teachers. |
|--|---------------|--|-----------------|
| Boys and girls over 13 and under 16 years of age, approved by the Inspector, provided that they subsequently become pupil teachers. Service in school to be half the time the school is opened. Suitable instructions must be provided during their term of employment. (Art. 33.) |               | Boys and girls engaged on the conditions of teaching during school hours under superintendence, and receiving suitable instruction. (Art. 34.)   |                 |
|  |               | Must not be less than 15 years of age at the beginning of their engagement (except in rural schools, and there only with the approval of the Inspector, and admitted for an engagement of four years.) (Art. 39.)                    |                 |
|  |               | Must be of the same sex as the principal teacher. Where a master instructs a girl pupil teacher out of school hours some respectable woman approved by the managers must be present during the whole time of instruction. (Art. 37.) |                 |
|  |               | Length of engagement ordinarily three years, but may be two or one, provided examinations are passed and the end of the engagement falls beyond the completion of candidate's eighteenth year. (Art. 40.)                            |                 |
|  |               | The number of pupil teachers must not exceed three for the principal teacher, and one for each certificated assistant teacher. (Art. 42.)  |                 |



*(c)* Provisional Assistant Teachers.

Ex-pupil teachers who have failed at the King's Scholarship Examination during their engagement may, with the consent of the Inspector, be recognised as provisional assistant teachers during the two years succeeding the last examination taken by them during their engagement. (Art. 49.\*)

*(d)* Assistant Teachers.

Persons who have passed the King's Scholarship Examination, and also those qualified under previous Codes, may be recognised as assistant teachers. (Art. 50.)

Graduates of any university in the British Empire recognised by the Board. (Art. 51a.)

Persons over 18 years of age who have passed university or other examinations recognised by the Board. (Art. 51b.)

Teachers certificated in the second class by the Irish Commissioners of National Education, and teachers so certificated in the first class who have not been trained in a Training College, and teachers recognised in the first and second grade, subject to a satisfactory report from the Commissioners. (Art. 51c.)

*(e)* Provisionally Certificated Teachers.

Pupil Teachers who have obtained a First Class in the King's Scholarship Examination may be employed, if specially recommended by the Inspector, as provisionally certificated teachers. Also women who, after two years' service in Public Elementary Schools as recognised additional teachers (Art. 68) have obtained a First Class in the King's Scholarship Examination and are recommended by the Inspector.

Persons who passed the first year's examination for certificates in June, 1891, or subsequently.

Persons who have served for not less than twelve months as assistant teachers (Art. 51) in Public Elementary Schools provided they have been recommended by the Inspector.

Persons who were under previous Codes qualified as provisionally certificated teachers (Art. 52).

Cease to be recognised as such after the end of the school year in which they complete the twenty-sixth year of their age, or if they are twice reported to be inefficient (Art. 86) (Art. 54).

*(f)* Certificated Teachers.

Teachers who having passed the Certificate examination satisfy the requirements set forth in Articles 55 to 67 of the Code.

*(g)* Additional Teachers.

Women over eighteen years of age approved by the Inspector and employed during the whole of the school hours in the general instruction of the scholars or in teaching needle-work (Art. 68). In boys' schools the recognition is for lower classes only.

The following are the Articles of the Code dealing with the various classes of Teachers for Public Elementary Schools. The Schedules and form of agreement are contained in the Day School Code issued annually by the Board of Education :—

*Probationers.*

33. Boys or girls over 13 and under 16 years of age may be recognised as probationers, provided that they are approved by the Inspector, and provided that the managers undertake that they are employed with the intention that they shall subsequently enter into engagements as pupil-teachers in the school.

The managers are bound to see that probationers are not permitted to serve in school during more than half the time that the school is open ; and that they receive suitable instruction during the term of their employment.

Certificates of health and character, and, in the case of girls, of proficiency in needlework, must be furnished for probationers proposed for recognition under this article.

*Pupil-Teachers.*

34. A pupil-teacher is a boy or girl engaged by the managers of a public elementary day school on condition of teaching during school hours under the superintendence of the principal teacher and receiving suitable instruction.

The managers are bound to see that the pupil-teacher is properly instructed during the engagement, and the Board, if satisfied that this duty is neglected, may decline to recognise any pupil-teachers as members of the staff of a school under the same managers.

The conditions of the engagement of a pupil-teacher are set forth in detail in the form of memorandum of agreement given in Schedule VI. No departure from this form is allowed.

35. Candidates, in order to be engaged as pupil-teachers, must be presented to the Inspector for approval, and must pass the examination specified in Schedule V., or some other examination recognised by the Board for the purpose of this article (see Schedule IV. A). The certificates specified in Schedule V. must also be furnished by the managers.

Candidates are examined ordinarily at the collective examination of pupil-teachers.

36. Central classes for the instruction of pupil-teachers must be open at all times to the inspection of any of the inspectors of the Board, and the Board must be satisfied with the premises and general arrangements. The names of all teachers employed in such classes must be notified to the Board, and the time-table must be approved by the Inspector. Central Classes will not be recognised for the purposes of Article 63 or of the Elementary School Teachers' Superannuation Rules, 1899, unless five meetings of not less than two hours each are held in the morning or afternoon in each week. Pupil-teachers may receive their instruction in Secondary schools under conditions approved by the Board.

37. *Sec.*—Pupil-teachers and probationers must, as a rule, be of the same sex as the principal teacher of the school in which they are engaged.

Where a girl is engaged as a pupil-teacher or probationer in a school under a master, and receives instruction from him out of school hours, some respectable woman approved by the managers must invariably be present during the whole time that such instruction is being given.

Girls are not, as a rule, recognised as pupil-teachers or probationers in a boys' school, nor boys in a girls' or infants' school.

38. *Commencement of Engagement.*—The engagement of a pupil-teacher can only begin either on the 1st of July or on the 1st of January. One of these dates must be uniformly adopted for all pupil-teachers in the same school.

39. (a) *Age.*—Pupil teachers must be, except as hereinafter provided, not less than 15 years of age, at the beginning of their engagement. (b) In rural schools candidates between the ages of fourteen and fifteen may, with the

special consent of the inspector, be admitted for an engagement of four years. In such cases the candidates will be required before admission to pass an examination in the three elementary subjects up to and including Standard VII., and in the elements of grammar, geography, and history. Certificates of health and character, and, in the case of girls, of proficiency in needlework, must be furnished for candidates proposed for admission as pupil-teachers under this Article.

40. *Length of Engagement.*—The length of the engagement will ordinarily be 3 years, but may be 2 or 1, provided that (a) the candidate passes the examination presented by Schedule V. for the first or second year; and (b) the end of the reduced term of service falls beyond the completion of the candidate's eighteenth year.

Candidates may be admitted for an engagement of one or more years provided that (a) they have passed, not more than two years previously, an examination recognised by the Board see [Schedule IV. (A)], and (b) the end of the engagement falls beyond the completion of the candidate's eighteenth year.

41. *Certificates and Examinations.*—(a) In April, 1902, pupil-teachers, unless specially excused by the Board, must pass the examination prescribed in Schedule V., or some other examination approved by the Board, and the certificates specified in that schedule must also be produced by the managers.

N.B.—After April, 1902, pupil teachers will not be required to take any examination after admission, other than that prescribed by Article 41 (f); but in each year of their engagement the Inspector must be satisfied that they are properly taught and diligent in their studies, and the certificates specified in Schedule V. must be produced by the managers.

(b) Pupil teachers will cease to be recognised by the Board if in any year satisfactory certificates are not produced on their behalf, or if in two consecutive years they fail to satisfy the Inspector that they are properly taught and diligent in their studies.

(c) Pupil teachers may, in any case, continue to be recognised until the end of the month in which the decision of the Board as to their recognition is announced to the managers.

(d) The collective examination of pupil teachers and candidates is held in the spring.

In 1902 the examination will be on the 26th April.

(e) The Inspector informs the managers of the time and place at which the collective examination will be held.

Notice should, in accordance with Article 46, be given to the Board of the names of pupil teachers who will attend the King's Scholarship Examination.

(f) The final examination of pupil-teachers will (unless some other examination approved by the Board is taken) be the King's Scholarship Examination next preceding the termination of their engagements. The King's Scholarship Examination may be deferred for a year, but not unless the engagement is extended under paragraph 4 of the Memorandum of Agreement.

42. *Number of Pupil Teachers.*—The number of pupil-teachers recognised by the Board must not exceed three for the principal teacher, and one for each certificated assistant teacher.

For the purposes of this Article a probationer is reckoned as equivalent to a pupil-teacher.

Pupil-teachers, whose engagements have been extended under paragraph 4 of their Memorandum of Agreement, will not be reckoned as pupil-teachers for the purposes of this Article.

43. *Responsibility of the Board.*—The Board are not a party to the engagement, and only ascertain whether the prescribed certificates are produced and the prescribed examination is passed.

44. *Reference to the Board.*—Whatever other questions arise upon the engagement may be referred to the Board (provided that all the parties agree in writing to be bound by the decision of the Board as final, but, otherwise, must be settled as in any other hiring or contract.

45. *Ex-pupil-teachers.*—At the termination of their engagements pupil-teachers are free to choose their employment. If they wish to continue in the profession of elementary school teachers, they may, under the conditions stated in the following articles, become—

- (a) Students in training colleges.
- (b) Assistant teachers.
- (c) Provisionally certificated teachers.

#### EXAMINATION FOR ADMISSION TO TRAINING COLLEGES.

46. *King's Scholarship Examination.*—The examination of candidates for admission into Training Colleges, called "the King's Scholarship Examination," is held at each College, and at such other centres as are necessary. The examination in 1902 will be held on the 9th December and following days.

The names of all candidates must be notified to the Board before the 1st of October.

It will be necessary to enforce this rule strictly. Arrangements will be made for the special examination in the summer of 1902 of Blind Candidates proposing to enter a recognised Training College for the blind in the autumn of 1902.

47. *Subjects.*—The examination extends to all the subjects in which pupil teachers during their engagement are required to be instructed as specified in Schedule V.

A syllabus may be had on application to the Secretary, Board of Education.

48. *Candidates.*—*a)* Candidates attending the examination must be either pupil-teachers entering for their final examination under Article 41 (*f*), or, not being pupil-teachers, persons over eighteen years of age on the 1st of October next following the date of the examination. Persons who have not been pupil-teachers will be required to produce a satisfactory medical certificate in a form approved by the Board previous to their admission to the King's Scholarship Examination.

*b)* Candidates attending the examination at any Training College are selected and admitted to the examination by the authorities of each College provided that such candidates have previously obtained permission from the Board to attend the examination.

*c)* All pupil-teachers entering for their final examination will be required to attend at centres of which the managers of their schools will be informed by the Board, unless they are examined at colleges pursuant to Article 48 (*b*).

49. *Class List.*—The candidates who pass the examination are arranged in three classes.

49\*. *Provisional Assistant Teachers.*—Persons who have completed an engagement as pupil-teachers, but have failed at the King's Scholarship Examination during their engagement, may, with the consent of the Inspector, be recognised as provisional assistant teachers during the two years immediately succeeding the last examination taken by them during their engagement.

50. *Assistant Teachers.*—Persons who have passed the King's Scholarship Examination and persons who were qualified under previous Codes as assistant teachers may be recognised as assistant teachers.

The examinations in Articles 50 and 52 will be held to include the corresponding examinations of the Scotch Education Department.

Persons who have passed the special King's Scholarship Examination for Blind Candidates (Art. 46) are not thereby qualified for recognition as teachers under this Article.



51.—(a) Graduates or persons qualified by examination to become graduates in arts or science of any university in the British Empire recognised by the Board for the purposes of this Article may be recognised as assistant teachers.

(b) Persons over 18 years of age who have passed university and other examinations recognised by the Board [see Schedule IV. (B)] may be recognised as assistant teachers.

(c) Teachers certificated in the second class by the Irish Commissioners of National Education, and teachers so certificated in the first class who have not been trained in a training college, may, subject to a satisfactory report from the Commissioners, be recognised as assistant teachers. Teachers recognised in the first or second grade by the Irish Commissioners of National Education may, subject to a satisfactory report from the Commissioners, be recognised as assistant teachers.

Teachers proposed for a first engagement under Articles 50 or 51 must produce a satisfactory medical certificate in a form approved by the Board.

The recognition of assistant teachers under Articles 50 and 51 will date from the first day of the month succeeding the close of the examination by which they are qualified.

#### PROVISIONALLY CERTIFICATED TEACHERS.

52. *Conditions of Recognition.*—Pupil teachers who after the satisfactory completion of their engagement, and women who after two years' service in public elementary schools as recognised additional teachers (Art. 68), have obtained a place in the first class in the King's Scholarship Examination, may, if specially recommended by the inspector on the ground of their practical skill as teachers, be recognised as "provisionally certificated teachers." See Art. 82 (a).

Persons who passed the first year's examination for certificates in June, 1891, or subsequently, are recognised as provisionally certificated teachers.

Persons who have served for not less than twelve months as assistant teachers under Art. 51 in public elementary schools may also be recognised as "provisionally certificated teachers" if specially recommended by the inspector on the ground of their practical skill as teachers.

Persons who were under previous Codes qualified as provisionally certificated teachers may be recognised as provisionally certificated teachers.

53. No certificate is issued to provisionally certificated teachers.

54. *Lapse of Recognition.*—Provisionally certificated teachers cease to be recognised as such after the end of the school year in which they complete the twenty-sixth year of their age, or if the schools or classes of which they are in charge are twice reported to be inefficient. (Art. 86.)

#### CERTIFICATED TEACHERS.

55. Candidates for certificates must, except in the cases otherwise provided for in this Code, be examined and undergo probation by actual service in school.

56. The examination will be held on 7th-11th July, 1902, at each residential training college, and at such other times and places as may be necessary.

Regulations and syllabuses may be had on application to the Secretary, Board of Education, Whitehall, S.W.

The examination for certificates held by the Scotch Education Department is accepted as equivalent to the corresponding English examination.

Arrangements will be made for the special examination of Blind Candidates for Teachers' Certificates. These certificates will be recognised only in schools for the blind.

57. (i) There will be no first year's examination in 1902 and subsequent years.

(ii) The second year's examination in 1902 will be open to—

(a) Students who have passed the first year's examination as prescribed by previous Codes, or have been especially excused such examination on

account of illness or other cause accepted as satisfactory by the Board, and have subsequently for at least one year either been resident students, or been enrolled and received continuous training as day students, in a training college:

- (b) Teachers who have passed the first year's examination as prescribed by previous Codes not less than a year previously, or have been specially excused such examination on account of illness or other cause accepted as satisfactory by the Board, and have subsequently, while in situations as provisionally certificated teachers, or as teachers under Article 82, exception (b), or as assistant teachers, under Article 50 or 51—(1) in inspected schools under certificated teachers, or (2) in approved central classes for the instruction of pupil teachers, or (3) in schools certified under the provisions of the Elementary Education (Blind and Deaf Children) Act, 1893, obtained a favourable report from an Inspector on their skill in teaching;
- (c) Students who have completed a year of training under Article 115 (b); (a certificated teacher, not previously trained, who has been one year in a college). *See Training College, page .*
- (d) Graduates, or persons qualified by examination to become graduates in arts or science of any university in the British Empire recognised by the Board for the purposes of this Article, who have satisfied the conditions of Article 57 (i) of the Code of 1901;
- (e) Certificated teachers who have not passed the second year's examination—*i.e.*, those who obtained certificates by passing the first year's examination before 1891;
- (f) Teachers recognised under Article 51 (c) who have satisfied the conditions of Article 57 (i) (c) of the Code of 1901.

(iii.) The third year's examination in 1902 will be open to—

- (a) Students who have completed a year's training under Article 115 (c);
- (b) Students who have completed an additional year's training under Article 120.

Application for the report mentioned in Article 57 (ii) (b) is to be made to the Inspector not later than 1st of January previous to the examination.

57\*. (i.) In 1903 and subsequent years there will be only a single examination, which will be open to candidates who have satisfied the following conditions—

- (a) Candidates must not be less than 20 years of age on the 1st October of the year in which they are examined.
- (b) They must either (1) have passed the King's Scholarship Examination, or an examination recognised by the Board of Education under Article 51 (b) of the Code, not less than two years previously to the 1st October of the year in which they are examined for certificates; or (2) be qualified under Article 50 or Article 51 (a) or (c) of the Code.
- (c) They must have been employed for at least one year (1) in schools under inspection by the Board of Education, or (2) in approved central classes for the instruction of pupil teachers.
- (d) They must, while employed in either of the situations specified in Article 57\* (i) (c) have obtained a favourable report from an inspector on their skill in teaching, reading, and recitation. This report should, as a rule, be obtained during the 12 months immediately preceding their examination.

(ii.) The examination will also be open to—

- (a) Certificated teachers who obtained certificates by passing the first year's examination before 1891.

- (b) Persons who have been employed for not less than three years as teachers in schools certified under the provisions of the Elementary Education (Blind and Deaf Children) Act, 1893, provided they satisfy the condition of Article 57\* (i) (a).

58. Candidates who at the time of the examination are not teachers in schools under inspection must be recommended by the authorities of their college or by the managers of the school in which they last served.

59. *Notification of Names.*—The names of all candidates for the examination in 1902, not being students in any training college, must be notified to the Board before the 1st of May.

N.B.—It will be necessary to enforce this Article strictly.

60. *Recognition as Certificated Teachers.*—Teachers certificated after 1st April, 1899, will not be recognised as certificated teachers until the Board are satisfied in the manner prescribed by the Elementary School Teachers' Superannuation Rules, 1899, of their age and physical capacity.

(a) Teachers who have passed the second or third year's examination may be recognised as certificated teachers from the first day of the month succeeding the close of the examination.

Teachers who, on or before the 1st of January, 1891, would have been entitled under previous Codes to recognition as certificated teachers will continue to be similarly recognised.

(b) Graduates or persons who are qualified by examination to become graduates in arts or science of any university in the British Empire recognised by the Board for the purposes of this Article may be recognised as certificated teachers, provided that they hold a certificate of proficiency in the theory and practice of teaching issued by a university or collegiate body, and recognised by the Board for the purposes of this Article (*see* Schedule IV. (C).)

(c) Teachers certificated in the first class by the Irish Commissioners of National Education who have been trained in a training college may, subject to a satisfactory report from the Commissioner, be recognised as certificated teachers.

61. *Superintendence of Pupil Teachers.*—Lists are published showing the successful candidates in each year's examination, whether students or not, and indicating in the case of all candidates whether they are entitled to superintend pupil teachers.

Teachers examined for a certificate before the 1st January, 1891, will be permitted to superintend pupil teachers if they passed successfully in second year's papers.

Teachers who attended a second year's examination for a certificate after the 1st January, 1891, will not be considered qualified to superintend pupil teachers unless they were indicated as so qualified in the list showing the result of such examination.

Teachers who are recognised under Article 60 (b) and (c) are entitled to superintend pupil teachers.

62. (a) Certificated teachers not entitled to superintend pupil teachers may become entitled to superintend them by re-examination.

(b) Pupil-teachers may be recognised in a school in which the principal teacher is certificated, but is not entitled by examination to superintend pupil-teachers, provided that (i) the pupil-teachers are taught in approved schools or central classes, and (ii) the Inspector reports that the principal teacher is sufficiently qualified on the ground of practical skill.

63. *Teachers on Probation. Parchment Certificate.*—A teacher, in order to obtain a parchment certificate, must (i) have been employed for not less than 18 months as a certificated teacher in recorded service as defined by the Elementary School Teachers' Superannuation Act, 1898, Section 1 (5), and the Elementary School Teachers' Superannuation Rules, 1899, Section 2, and must have obtained a favourable report from an Inspector.

Or ii.) must have been reported by the proper Department in each case to have completed a like period of good service as an elementary teacher in the Army or Navy, or (within Great Britain) in poor law schools, certified industrial or day industrial schools, or certified reformatories.

Teachers who have been allowed a third year of training under Article 120 may obtain their parchment certificate after one year's employment as above defined.

64. There is only one class of certificate, but a distinction is made as regards the right to superintend pupil-teachers.

The right to superintend pupil-teachers may be suspended or withdrawn if the Board, on the report of the Inspector, consider that a teacher has neglected his duty in this respect.

#### REPORTS OF MANAGERS AND INSPECTOR.

65. *Managers' and Inspector's Reports.*—The managers are required to state in their annual return whether the conduct, character, and attention to duty of all teachers engaged in the school have been satisfactory; and the inspector reports each year on the efficiency of all the teachers engaged in a school, and particularly on the efficient discharge of their duty towards the pupil teachers under them.

66. Certificated teachers who have been employed in a school during not less than six months of any school year are entitled to claim from the managers free of charge a certified copy of the inspector's annual report for that school year after it has been entered in the log book.

#### RECALL OR SUSPENSION OF CERTIFICATES.

67. A certificate may at any time be recalled or suspended, but not until the Board have informed the teacher of the charges against him and given him an opportunity of explanation.

#### EXPIRATION OF CERTIFICATE.

67\*. The certificate of a teacher, who becomes certificated after 1st April, 1899, shall expire on his attaining the age of 65 years, or, if the board on account of his special fitness allow his service to continue for a further limited time, then on the expiration of that limited time.

The provisions of this Article shall apply to teachers certificated before 1st April, 1899, who have accepted the Elementary School Teachers' Superannuation Act, 1898, with the following modification, that is to say: If the teacher had at the date of the acceptance of the said Act attained the age of 65 years or any greater age, the date of such acceptance shall be substituted for the date at which the teacher attained the age of 65 years [Elementary School Teachers' Superannuation Act, 1898, Sections 1 (2) (a) and 5 (2) (b)].

#### ADDITIONAL TEACHERS.

68. In mixed and girls' schools, and in infant schools and classes, a woman over 18 years of age approved by the Inspector, who is employed during the whole of the school hours in the general instruction of the scholars, and in teaching needlework, is recognised as an additional teacher.

In boys' schools, with the special approval of the Board, a woman over 18 years of age approved by the Inspector, who is employed during the whole of the school hours in the instruction of the lower classes, is recognised as an additional teacher.

Teachers proposed for a first engagement under this Article must produce a satisfactory medical certificate in a form approved by the Board.

*Teachers.*—The following particulars are from the Report of the Board of Education, 1902: "There were in 1901 at work in schools under inspection 66,149 certificated or provisionally certificated



teachers (or one to every 71·6 children in average attendance), 28,002 pupil-teachers, 34,716 assistant or provisional assistant, and 17,956 additional women teachers. The figures in 1900 were 64,038 certificated or provisionally certificated teachers, 29,393 pupil-teachers, 32,436 assistant, and 17,512 additional women teachers. The figures this year therefore show an increase of 2,111 certificated or provisionally certificated teachers, an increase of 2,280 assistant or provisional assistant teachers, and an increase of 444 additional women teachers, but a decrease of 1,391 pupil-teachers. The increase of adult female teachers recognised under Art. 68 of the Code is to be remarked. The number of those teachers, which in 1893 was 8,534, rose in 1894 to 10,196, in 1895 to 11,678, in 1896 to 12,838, in 1897 to 14,155, in 1898 to 15,136, in 1899 to 16,717, in 1900 to 17,512, and in 1901 to 17,956, an increase in the last eight years of over 110 per cent.

In the year ended 31st December, 1901, seven graduates holding recognised certificates of proficiency in teaching were recognised as certificated teachers under Article 60 (*b*) of the Code of 1901, and one trained teacher certificated in the first class by the Irish Commissioners of National Education was recognised as a certificated teacher under Article 60 (*c*). Sixty-four persons already qualified as certificated teachers were admitted as students to Training Colleges for one year's training under Article 115 (*b*), eight persons took advantage of the facilities offered by Article 115 (*c*) to graduates wishing to obtain a year's training, and 151 persons availed themselves of the permission to enter a Training College by means of the examinations now recognised for that purpose as alternatives to the King's Scholarship Examination (Article 115 (*d*)). 110 men and 95 women students received a third year's training.

The conditions of admission to the examination for certificates to be held in 1903 have been so drawn up as to establish the equivalence of that examination to the second of the two examinations to which candidates have, since 1902, been required to submit themselves.

#### *Teachers under Article 52.*

The "provisional certificates," qualifying teachers to take charge, up to the age of 26, of small schools with less than 50 children in average attendance, have now practically fallen into disuse. The total number of provisionally certificated teachers now in charge of schools is only 48, 2 men and 46 women. Teachers qualified under Article 50 or 51 may also under certain conditions be recognised as qualified to take charge of schools with an average attendance of not more than 40 scholars. The number of teachers so recognised in 1901 was 192, 19 men and 173 women.

*Trained and Untrained Teachers.*

The extent to which the training colleges have contributed to the present supply of teachers in England and Wales is shown by the fact that of 25,122 certificated masters employed in schools reported on last year, 18,134, or 72·2 per cent, had been trained, viz., 17,922 for two years or less, and 212 for three years; while 6,988, or 27·8 per cent, were not so trained. In like manner, of 40,979 certificated schoolmistresses, 19,889, or 48·5 per cent, had been trained, 19,739 for two years or less, and 150 for three years; and 21,090, or 51·5 per cent, were not trained in colleges. Of the teachers, however, who are technically described as untrained, a large proportion have passed through the pupil-teacher's course and afterwards served as assistants in large schools before passing the examination for a certificate and undertaking independent charges.

*Salaries of Teachers.*

The following table shows the present scale of the salaries of certificated teachers in public elementary schools:—

| Numbers and Percentage in receipt of Salaries. |                       |            |                          |            |
|--|-----------------------|------------|--------------------------|------------|
| Amount.  | Certificated Masters. |            | Certificated Mistresses. |            |
|  | Principal.            | Assistant. | Principal.               | Assistant. |
| Under £50 .....                                | 2                     | 12         | 134                      | 1031       |
|  | 0                     | 1          | 8                        | 46         |
| £50 and under £100 .....                       | 2544                  | 5363       | 10,855                   | 16,790     |
|  | 19·5                  | 48·1       | 63·2                     | 75·6       |
| £100 .. £150 .....                             | 5441                  | 4315       | 4359                     | 4397       |
|  | 41·7                  | 38·7       | 25·4                     | 19·8       |
| £150 .. £200 .....                             | 2694                  | 1439       | 1049                     | 11         |
|  | 20·7                  | 12·9       | 6·1                      | 0          |
| £200 .. £250 .....                             | 1307                  | 16         | 630                      | —          |
|  | 10·0                  | 2          | 3·7                      | —          |
| £250 .. £300 .....                             | 567                   | —          | 131                      | —          |
|  | 4·3                   | —          | 7                        | —          |
| £300 .. £400 .....                             | 449                   | —          | 11                       | —          |
|  | 3·5                   | —          | 1                        | —          |
| £400 .. £500 .....                             | 27                    | 1          | —                        | —          |
|  | 2                     | 0          | —                        | —          |
| £500 and over .....                            | 6                     | —          | —                        | —          |
|  | 1                     | —          | —                        | —          |
| Total .....                                    | 13,037                | 11,146     | 17,169                   | 22,229     |

See also page 227.

The average salary of a certificated master, which in 1870 was £94 2s. 1d., is now £128 17s. 2d. ; that of a schoolmistress was £57 11s. 1d. in 1870, and is now £86 11s. 10d. These averages are calculated upon the whole of the certificated teachers (where returns are given) whether principal or additional. In addition to their other emoluments, many of the teachers are provided with residences free of rent.

For some years after 1870, almost all the certificated teachers were then in charge of schools as principal teachers, while now about half of them are teaching as assistants. Out of the 24,183 certificated masters whose salaries are classified above, only 13,037, or 53·9 per cent, and out of the similar 39,398 certificated mistresses, only 17,169, or 43·6 per cent, are in charge of schools. In order, therefore, to show the rise that has taken place in the salaries of principal teachers since 1870, the comparison should be between the salaries of all certificated teachers in that year, and those of principal teachers only in 1901. On this basis it appears that £94 2s. 1d., the average salary of a certificated master in 1870, has risen to £147 10s. 2d., an increase of over 56 per cent.; and that £57 11s. 1d., the average salary of a certificated mistress in 1870, has risen to £97 3s. 5d., an increase of over 68 per cent.

*Proportion of Men and Women Teachers.*

The proportion of women and girls to men and boys among the teachers employed in elementary schools appears, for the time at all events, to have reached equilibrium. For all classes of teachers taken together it is, as it was in the previous year, a fraction over 75 per cent: the percentages among the three principal classes of teachers are for certificated teachers, 62, for assistant teachers, 84, and for pupil teachers, 81.

*Candidates for Admission to Training Colleges.*

The following table shows the number of candidates for admission to Training Colleges in 1900 and 1901 respectively. The figures show a decline of 115 male and an increase of 21 female candidates.

|  | 1900. |          | 1901. |        |
|--|-------|----------|-------|--------|
|  | Men.  | Women. † | Men.  | Women. |
| Candidates examined for the Admission or Scholarship Examination ..... | 2,602 | 8,220    | 2,487 | 8,241  |
| Candidates who passed the examination successfully .....               | 2,347 | 7,540    | 2,244 | 7,520  |

**Teachers and Membership of Councils.**—Sir William Anson said: "Teachers in schools provided by the local education authority will be clearly disqualified from being members of the county council, borough council, or urban district council, which is the local education authority. This is the effect, as regards county councils and borough councils, of Section 12 (*a*) of the Municipal Corporation Act, 1882, and Sections 2 and 75 of the Local Government Act, 1888, and as regards the urban district councils, of Section 46 (*d*) of the Local Government Act, 1894, which also applies to the London borough councils. It is clearly fair that teachers in schools not provided by the local education authority should be placed in the same position in this respect as teachers in schools provided by that authority."—(Commons, Nov. 6th, 1902.)

**Teachers and Membership of Education Committee.**—Section 17 (4) allows teachers to be members of the education committee. See page 75.

### **Technical Instruction.**

The Technical Instruction Acts are repealed by the Act of 1902, the councils having by the latter Act full powers to provide higher education, including technical instruction.

#### **ADMINISTRATION OF THE TECHNICAL INSTRUCTION ACTS.**

##### *Application of Funds.*

The following is taken from the Report of the Board of Education (1902):—

A return, prepared by Order of the House of Commons, dated 2nd August, 1901, was issued as a Parliamentary Paper on the 5th of August, 1902, showing the extent to which, and the manner in which local authorities in England, Wales, and Ireland have devoted the residue under the Local Taxation (Customs and Excise) Acts, 1890, and funds raised out of the local rates, to educational purposes, during the year ended 31st March, 1901.

##### *England.*

Of the 49 county councils in England (excepting the county of Monmouth) 40 are applying the whole of the residue and 9 a part of it to Technical Education. Of the councils of the 62 county boroughs, 56 are applying the whole of the residue, and 6 a part to Technical Education. Further, 2 county councils and the councils of 24 county boroughs, 99 boroughs and 195 urban districts are making grants out of the rates under the Technical Instruction Acts. In 28 cases, local authorities are also devoting funds to Technical Education out of the rates under the Public Libraries and Museums Acts.



*Wales and Monmouth.*

In Wales and Monmouth the councils of the 13 counties and 3 county boroughs are devoting the whole of the residue to Intermediate and Technical Education, chiefly under the Welsh Intermediate Education Act, 1889; and the councils of 12 counties and county boroughs and 14 boroughs and urban districts are making grants out of the rates under the Technical Instruction Acts.

*England and Wales.*

In England and Wales the total amount expended on Technical Education during the year was £1,051,422 0s. 9d. In addition, the amount raised by loan on the security of the local rate under the Technical Instruction Act, 1889, mainly for the erection of Technical and Science and Art Schools, was £152,333 14s. 4d. In Wales and Monmouth the total amount devoted annually to Intermediate and Technical Education, under the Welsh Intermediate Education Act, 1889, is now approximately £52,000.

Since the date of our last report seven Minutes, under Section 8 of the Technical Instruction Act, 1889, sanctioning subjects of instruction on the application of the local authorities, have been issued, of which a list is given in Appendix C, page 124. The total number of Minutes issued is now 462, viz. :—452 under the Act of 1889 (which extends to England, Wales, and Ireland), and 10 under the Technical Instruction Amendment (Scotland) Act, 1892. The latter number does not include any minutes issued by the Scotch Education Department. (Report, 1901-2, pages 63, 64.)

The essential differences between secondary and technical schools are well described by Mr. J. H. Reynolds, the Director of Technical Instruction for Manchester, in a recent letter to "The Times": "The main object of the secondary school is the training and developing of faculty, whilst that of the technical school is the wise direction of that trained and developed faculty to a particular purpose, namely, the mastery of some special craft, business, or profession. This does not imply that the technical school, while so instructing, shall not continue to educate (that it must do, or it will undo the work of the secondary school), or that it shall enter upon a course of empiricism which it is the special function of the technical school to decry and condemn. Nor would this definition of the functions of a technical school exclude from its curriculum such liberal studies as would help the future industrial, commercial, or professional man to rightly understand his responsibilities as an employer and a citizen.

"That the course of education in a wisely-managed secondary school will fit a youth to take his place in the world—brave, alert, self-possessed, observant—may be at once conceded, just as a

wisely-ordered regimen will promote health and vigour of body ; but as the possession of these qualities will not ensure the special conditions under which a boat race shall be won without express training by an experienced coach in all the arts and mysteries of rowing, so in the former case the education of the secondary school is but the condition precedent upon the possession of which it is alone possible to train the pupil in the application of science, or of art, or of economics, to the field of labour by which he will live."

**Temporary School Buildings.**—The use of corrugated iron erections to supply temporary school accommodation has so many advantages over the hiring of ordinary schools, that it is becoming more and more the practice of authorities to adopt this means of provision in cases where it is desirable to provide temporary school accommodation, prior to the erection of permanent schools, and it has been thought that some particulars of such temporary expedients to meet the needs of school accommodation, would not be without interest.

The whole of the interior of the building (except doors and windows) should be lined throughout with  $\frac{3}{4}$  in. planed, tongued and grooved and V jointed white pine boarding, and between the boarding and iron sheeting there should be fixed a layer of patent inodorous felt.

Such erections will, in many cases, after serving the needs of one district of the town, be useful elsewhere. The framing of the building should be made in sections, which can be bolted together and easily taken down for refixing. It has been ascertained by experience, that in large manufacturing towns, where the atmosphere is often charged with chemical impurities, such a building will last about 10 years, but in the country, where the conditions are more favourable, the life of a building of this kind would be greatly prolonged. The exterior of the building, including all sheeting, should be frequently painted with coats of best lead and oil paint, in order to preserve it.

The Board of Education has recently sanctioned loans repayable in ten years, for the provision of temporary school accommodation of this kind. A portion of the site for the permanent school may conveniently be used for the temporary school, but even where land has to be specially hired for the purpose of the iron school, it will not be found that the cost of the iron school will exceed what would have to be paid for similar accommodation in premises hired by the authority, even if such premises could be found in a convenient situation. In the cases of hired premises, difficulties frequently arise as to the adjustment of the cost of fuel, light, and cleaning. Authorities using their own temporary premises have no such difficulties.

Iron schools, complete, including offices, may be provided at about £3 per scholar.

**Time Tables.**—Public elementary school time tables must be approved and signed by H.M. Inspector of schools (see Article 79 of Day School Code).

In secondary schools and classes receiving science and art grants by Board of Education (see Regulations).

### Training Colleges.

22. (3) The power to supply or aid the supply of education other than elementary includes a power to train teachers, and to supply or aid the supply of any education except where that education is given at a public elementary school. (Act of 1902.)

24. (4) In this Act the expression "college" includes any educational institution, whether residential or not.

With regard to the need of further training college accommodation, see King's Scholarships, page 144.

### COLLEGES AND HOSTELS.

In the debate on Clause 5 (House of Commons, 9th July, 1902),

Mr. Balfour said "the training of teachers could only be organised on a satisfactory basis if the machinery organising it was not necessarily confined, or perhaps not even generally confined, to a single county. The Government contemplated the distinct co-operation of counties in the training of teachers. It might be replied that this co-operation only referred to secondary education, and that the training of teachers in the later stage of their career was left untouched by the clause, because it only referred to primary education. He did not think that the argument was sound. There must be a scheme dealing with the teacher question rising from primary to secondary education, and embracing all the stages up to the training college stage, as well as the training college itself."

On the debate on Clause 4 (1) (House of Commons, 2nd July, 1902),

Mr. Balfour said "he was in favour, not merely of building more training colleges, but also, as he had already indicated to the Committee, of hostels connected with university colleges, and his right hon. friend, the Chancellor of the Exchequer, and he had considered this matter, and the Government were of opinion that, in order to carry out that desirable object, a student in one of these hostels should have as liberal treatment, and should have the same contribution paid to him on behalf of the Exchequer, that a student has in a training college now."

On the discussion of Clause 24 (Committee, 14th November), and the addition of Sub-section (4), proposed by the Government, replying to a question as to whether the term "educational insti-

tution" would include hostels where no lectures were given, but where students lived, and which were affiliated to some other institution to which the students went by day for the purpose of lectures. In Clause 4 there was a certain ambiguity. "Hostels" were included in some cases, and left out in others.

Sir Robert Finlay said "a hostel which was simply a boarding house would not be included. If it was affiliated to another institution, no question would arise, because then it would be part of a whole, and would be an educational institution; but it would not, by itself, be an educational institution."

Sir William Anson said "it was clear that the local authority would be able to assist a theological college. He did not see why the local authority should be forbidden to assist one sort of college more than any other sort of college."

The following are the regulations for training colleges contained in Part II. of the Day School Code.

#### PART II.—TRAINING COLLEGES.

##### *Residential and Day Training Colleges.*

111. A Training College is an institution either for boarding, lodging, and instructing, or for merely instructing students who are preparing to become certificated teachers in elementary schools. The former are called residential, the latter Day Training Colleges. A residential college may receive day students. Training colleges are required to include, either on their premises or within a convenient distance, a practising school in which the students may learn the practical exercise of their profession.

Training Colleges must be open at all reasonable times to the inspection of His Majesty's Inspectors of Training Colleges.

An institution for boarding, lodging, and instructing blind students who are preparing to become teachers in schools for the blind, may be recognised as a training college. Grants will be paid to such a college on the same conditions, so far as circumstances permit, as those laid down for an ordinary residential training college.

112. A Day Training College must be attached to some university or college of university rank. The authorities of a Day Training College must be a local committee, who will be held responsible for the discipline and moral supervision of the students, for due care as regards their board and lodging, and for their regular attendance at professorial or other lectures.

113. *Conditions of Grant.*—No grant is made to a Training College unless the Board are satisfied with the premises, management, staff, curriculum, and general arrangements, and recognise it as a Training College.

##### *Admission into Training Colleges.*

114. *King's Scholars.*—The recognised students in a training college are called King's scholars.

115. *Qualifications for Admission.*—The authorities of a training college may propose to the Board for admission as King's scholar—

- (a) any candidate who has obtained a place in the first or second class at the last or last but one preceding King's Scholarship Examination (Articles 46 and 47);



- (b) any certificated teacher who has not previously been trained during two years, and who wishes to enter the college for a year's training, in the course prescribed for students of the second year;
- (c) any graduate, or person qualified by examination to become a graduate, in arts and sciences of any University in the British Empire recognised by the Board for the purposes of this Article, who wishes to enter the college for a year's training;
- (d) any candidate over 18 years of age who has passed since 1st January, 1900, one of the examinations approved by the Board for this purpose (see Schedule IV. D).

The Board may limit, in the case of any training college, the number of candidates admitted under each paragraph of this article.

116. *Number of Day Students.*—The number of day students to be admitted to each training college will be fixed by the Board upon receipt of an application from the authorities of such college dated not later than the 1st of June in each year and stating the number of students that they desire to admit.

117. *Conditions of Admission.*—Before candidates are admitted—

- (a) The medical officer of the college must certify that the state of their health is satisfactory, and that they are free from any serious bodily defect or deformity; and,
- (b) They must sign a declaration that they intend *bonâ fide* to adopt and follow the profession of a teacher in a public elementary school, or in a school certified under the provisions of the Elementary Education (Blind and Deaf Children) Act, 1893, or in a central class for pupil-teachers, or in a training college, or in the Army or Navy, or (within Great Britain) in Poor-law schools, certified industrial or day industrial schools, or certified reformatories.

118. *Other Conditions laid down by College Authorities.*—The Board may refuse to recognise in a Training College any student who has subsequently to the publication of the list of King's Scholars signed an engagement to enter another Training College, without the written consent of the authorities of the latter College. In other respects the authorities of each College settle their own terms of admission.

119. *Non-fulfilment of Conditions.*—Upon proof by the authorities of any College that candidates have not fulfilled the conditions signed by them on admission into the College, the Board may refuse to grant parchment certificates to such candidates, or to recognise them as certificated teachers.

120. *Period of Training.*—The period of training is ordinarily two years, except for students admitted under Art. 115 (b) or (c). But an additional year's training may be allowed on the application of the authorities of the College proposing to admit the student to such training. The consent of the Board will only be given in the case of students of special merit, for whom special educational facilities are offered. Such additional year's training may with the like application and consent be taken, in whole or in part, at the College itself or elsewhere.

Students of special merit may, on the application of the authorities of their training college, and with the consent of the Board, be allowed to take their second year of training, in whole or in part, in an institution for training teachers of the deaf approved by the Board for the purpose.

Students who pass successfully through two or three years of training receive special mention thereof on their certificates.

For the purposes of this article the period from January to June, 1895, will be counted as one year.

*Examination of Students in Training Colleges.*

121. Students who are King's Scholars, and are qualified to attend the examinations for certificates (Article 57 (ii. (a) and (c), and 57 (iii.) (a) and (b), are required to attend such examinations unless prevented by illness or other cause approved by the Board.

*Grants to Training Colleges.*

122. *Grants to Teachers Trained Two Years.*—Grants are placed to the credit of each residential college of £100 for every master and of £70 for every mistress who, having been trained in such college as a resident King's Scholar, and of £20 for every master and mistress who, having been trained in such college as a day King's Scholar during two years, is recognised as a certificated teacher, and completes the prescribed period of probation and obtains a parchment certificate (Article 63).

An additional grant of half of each of the above amounts is placed to the credit of the College on account of each such master or mistress who has received an additional year's training under Article 120.

123. *For Teachers Trained One Year.*—Teachers who have been trained for one year only may, if they satisfy the requirements of Article 60, obtain parchment certificates after probation, or may be reported by the proper Department, upon the same terms as others; and grants, of half the amounts specified in Article 122, may be placed to the credit of the College in which they were trained, provided they entered the College as King's Scholars for training in the course prescribed for students of the second year under Article 115 (b) or under Article 115 (c) of this Code or the corresponding Article of any previous Code.

124. The annual grant to each Residential College is paid out of the sums standing to its credit (Articles 122, 123) at the beginning of the year, after the adjustment under Article 126 (c).

*Exception :—*

In the case of a new College, or (subject to the approval of the Board of an extension of a College, the grants for the first five years are paid without reference to the sums standing to the credit of the College.

The annual expenditure of the College in respect of such extension must be approved by the Board and certified in such a manner as the Board may require.

125. *Limitation of Grant to Residential Colleges.*—Except as provided by Article 128, the annual grant to a Residential College must not exceed—

- (a) 75 per cent of the expenditure of the College for the year, approved by the Board and certified in such manner as the Board may require.
- (b) £50 for each man, and £35 for each woman, in residence, as a King's Scholar, and £10 for each day student enrolled, for continuous training as a King's Scholar throughout the year for which it is being paid. In the case of third year students studying elsewhere than at the College, and in receipt of an allowance from the College approved by the Board, 75 per cent of such allowance will be substituted for the sums of £50 and £35.

126. *Instalments of Grants.*—The annual grant to each Residential College is paid as follows :—

- (a) (i.) An instalment of £12 (men), or £8 (women), is paid on 1st October, 1st February, and 1st May, in respect of every King's scholar in residence for continuous training throughout the year.

- (ii.) An instalment of £2 is paid on 1st October, 1st February, and 1st May, in respect of every day student enrolled for continuous training as a King's scholar throughout the year.
- (b) Part of the instalment of the 1st May may be suspended, if payment of the full amount then due would cause the limit under Article 124 or Article 125 (a) to be exceeded.
- (c) *Adjustment*.—The balance is adjusted as soon as the college accounts for the year have been closed, audited, and approved by the board.

*Grants to Day Colleges*.—127. (a) In day training colleges, a grant will be made annually, through the local committee, of £25 to each man, and of £20 to each woman King's scholar, and a grant of £10 to the committee in respect of each King's scholar enrolled for continuous training throughout the year.

N.B.—Grants of corresponding amounts will be made to Day King's scholars who attend a residential college, but the grant to the authorities of a residential college in respect of such day King's scholars will be made under Articles 124, 125, and 126, and not under this article.

(b) These grants will be paid to the local committee in three instalments upon a certified list of the King's scholars enrolled for continuous training throughout the year, and attending lectures at the university or college to which the day training college is attached, viz. :—

- (i) an instalment of £11 (men), or £9 (women), on the 1st October, or as soon as the certified list of the King's Scholars has reached the Board, and on the 1st February ;
- (ii.) an instalment of £13 (men), or £12 (women), on the 1st May. Out of these sums the committee will pay to each King's Scholar on the 1st October, or as soon as the grant has been received, and the 1st February, £8 (men), or £6 (women), and on the first May, £9 (men), or £8 (women).

N.B.—The grants to day King's Scholars attending a Residential Training College will be paid through the committee under this Article.

(c) The local committee will be required to produce to the Board, as soon as possible after the 31st July in each year, an account of their income and expenditure in such form as may be prescribed by the Board. The accounts shall (*inter alia*) include the grants for the King's Scholars, and the payments by the committee to them.

128. Separate grants for science and drawing are made to training colleges at the rate of 25s. for every student who has satisfactorily passed through an approved course in mathematics or theoretical mechanics ; 35s. for every student who has satisfactorily passed through an approved course in any other subject of science ; and 10s. for every student who has satisfactorily passed through an approved course in drawing.

These grants will be in addition to the grant at present payable under Articles 122-127 ; but in determining the limit of grant under Article 125 (a), the cost of the instruction in science and drawing will be excluded from the certified expenditure, except so far as the cost of instruction in either science or drawing can be shown to be in excess of the grant for science or drawing paid or payable for the same period.

129. *Grants for Shortened Year 1895*.—The following table shows the amounts of the grants that, in consequence of the change of date of the certificate examination will be made instead of those specified in the Code, in the case of students in residential colleges :—

- A. Whose first or second year of training included the period from January to June, 1895.  
 B. Whose third year (Article 120) or single year (Article 115 (b)) of training consisted of the same period.

Grant placed to credit of  
 College (Art. 122 or 123) on  
 account of

|    | (i.) Men.<br>(Resident). | (ii.) Women<br>(Resident). | (iii.) Day<br>Students in<br>Residential<br>Colleges |
|----|--------------------------|----------------------------|--|
|    | £                        | £ s.                       | £  |
| A. | 75                       | 52 10                      | 15   |
| B. | 25                       | 17 10                      | 5  |

For Grants, see page 111.

**Transfer of Schools.**—Non-provided schools can be transferred to the local authority with the approval of the managers and the Board of Education: Where there is a trust deed no rent, other than a ground rent, as a rule may be paid. The Board of Education have prescribed a form of transfer. Sec. 23, Act of 1870.

In the case of schools which are private property, the transfer does not require the intervention of the Board of Education, and is provided for by Section 19 of the Act of 1870, but all transfers of schools to or from the local authority are treated as the provision of new schools by Sections 8-9 of the Act of 1902, and are subject to the provisions of that Act affecting new schools.

In the debate on Clause 6, Mr. Balfour said "if a school was transferred to the local authority under the Act of 1870, then the Bill would not interfere at all. With regard to cases not under the Act of 1870, suppose a schoolhouse were practically let to the local authority for a business rent, evidently that became a provided school. As to if only a nominal rent were charged, the question might not be raised whether the school should be deemed to be 'provided' or not. They thought it ought to be. If an owner chose to let it to the local authority, in so far as it was let it was subject to all the provisions of this Bill, which transferred educational powers to the local authority. If the school was completely transferred for a peppercorn rent during the whole of the twenty-four hours, that school would be subject to, provided by, and financed by the local authority, and the Cowper-Temple Clause would operate through the whole period. Whether the rent be large or small, excessive or nominal, so long as the local authority paid that rent the school would be



provided for by the local authority, and subject to the incidents of that position.”—(Commons, 21st July, 1902.)

The Board of Education state: “The school boards have acquired a considerable number of schools, either by arrangement with private owners and managers, or, where the premises are held in trust for educational purposes, by transfer under the section of the Act of 1870 specially framed to meet such cases. The principles on which that section is administered are set forth in the Minutes of the 17th July, 1871, and 13th August, 1875, which, with an explanatory circular and other documents, will be found printed in a collective form in the appendix to the Report of the Education Department for 1875-6. 1,380 schools, including 979 Church, 25 Wesleyan, and 272 British schools, have been transferred to school boards under these minutes. Of the 8 schools transferred during the past year 6 were Church schools. We have no definite information with respect to the number of schools made over to boards under Section 19 of the Act of 1870 by private managers.”—Report 1901-2, page 15.

### **Transfer of Property and Officers and Adjustment.**

#### **SECOND SCHEDULE, ACT OF 1902.**

(1) The property, powers, rights, and liabilities (including any property, powers, rights, and liabilities vested, conferred, or arising under any local Act or any trust deed) of any school board or school attendance committee existing at the appointed day shall be transferred to the council exercising the powers of the school board.

(2) Where under the provisions of this Act any council relinquishes its powers and duties in favour of a county council, any property or rights acquired and any liabilities incurred for the purpose of the performance of the powers and duties relinquished, including any property or rights vested or arising, or any liabilities incurred under any local Act or trust deed, shall be transferred to the county council.

(3) Any loans transferred to a council under this Act shall, for the purpose of the limitation on the powers of the council to borrow, be treated as money borrowed under this Act.

(4) Any liability of an urban district council incurred under the Technical Instruction Acts, 1889 and 1891, and charged on any fund or rate shall, by virtue of this Act, become charged on the fund or rate out of which the expenses of the council under this Act are payable, instead of on the first-mentioned fund or rate.

(5) Section two of this Act shall apply to any balance of the residue under section one of the Local Taxation (Customs and Excise) Act, 1890, remaining unexpended and unappropriated by any council at the appointed day.

(6) Where the liabilities of a school board transferred to the

local education authority under this Act comprise a liability on account of money advanced by that authority to the school board, the Local Government Board may make such orders as they think fit for providing for the repayment of any debts incurred by the authority for the purposes of those advances within a period fixed by the order, and, in case the money advanced to the school board has been money standing to the credit of any sinking fund, or redemption fund, or capital money applied under the Local Government Acts, 1888 and 1894, or either of them, for the repayment to the proper fund or account of the amount so advanced.

Any order of the Local Government Board made under this provision shall have effect as if enacted in this Act.

(7) Where a district council ceases by reason of this Act to be a school authority within the meaning of the Elementary Education (Blind and Deaf Children) Act, 1893, or the Elementary Education (Defective and Epileptic Children) Act, 1899, any property or rights acquired and any liabilities incurred under those Acts shall be transferred to the county council, and, notwithstanding anything in this Act, the county council may raise any expenses incurred by them to meet any liability of a school authority under those Acts (whether a district council or not), and transferred to the county council off the whole of their area, or off any parish or parishes which, in the opinion of the council, are served by the school in respect of which the liability has been incurred.

(8) Sections eighty-five to eighty-eight of the Local Government Act, 1894 (which contain transitory provisions), shall apply with respect to any transfer mentioned in this schedule, subject as follows :—

- (a) References to “the appointed day” and to “the passing of this Act” shall be construed, as respects a case of relinquishment of powers and duties, as references to the date on which the relinquishment takes effect ; and
- (b) The powers and duties of a school board or school attendance committee which is abolished, or a council which ceases under the provisions of this Act to exercise powers and duties, shall be deemed to be powers and duties transferred under this Act ; and
- (c) Sub-sections (4) and (5) of section eighty-five shall not apply.

(9) The disqualification of any persons who are, at the time of the passing of this Act, members of any council, and who will become disqualified for office in consequence of this Act, shall not, if the council so resolve, take effect until a day fixed by the resolution, not being later than the next ordinary day of retirement of councillors in the case of a county council, the next ordinary day

of election of councillors in the case of the council of a borough, and the fifteenth day of April in the year nineteen hundred and four in the case of an urban district council.

(10) No election of members of a school board shall be held after the passing of this Act, and the term of office of members of any school board holding office at the passing of this Act, or appointed to fill casual vacancies after that date, shall continue to the appointed day, and the Board of Education may make orders with respect to any matter which it appears to them necessary or expedient to deal with for the purpose of carrying this provision into effect, and any order so made shall operate as if enacted in this Act.

(11) Where required for the purpose of bringing the accounts of a school to a close before the end of the financial year of the school, or for the purpose of meeting any change consequent on this Act, the Board of Education may calculate any Parliamentary grant in respect of any month or other period less than a year, and may pay any Parliamentary grant which has accrued before the appointed day at such times and in such manner as they think fit.

(12) Any Parliamentary grant payable to a public elementary school not provided by a school board in respect of a period before the appointed day shall be paid to the persons who were managers of the school immediately before that day, and shall be applied by them in payment of the outstanding liabilities on account of the school, and so far as not required for that purpose shall be paid to the persons who are managers of the school for the purposes of this Act, and shall be applied by them for the purposes for which provision is to be made under this Act by those managers, or for the benefit of any general fund applicable for those purposes, provided that the Board of Education may, if they think fit, pay any share of the aid grant under the Voluntary Schools Act, 1897, allotted to an association of voluntary schools to the governing body of that association, if such governing body satisfy the Board of Education that proper arrangements have been made for the application of any sum so paid.

(13) Any school which has been provided by a school board, or is deemed to have been so provided, shall be treated for the purposes of the Elementary Education Acts, 1870 to 1900, and this Act as a school which has been provided by the local education authority, or which is deemed to have been so provided, as the case may be.

(14) The local education authority shall be entitled to use for the purposes of the school any school furniture and apparatus belonging to the trustees or managers of any public elementary school not provided by a school board, and in use for the purposes of the school before the appointed day.

(15) During the period between the passing of this Act and the appointed day, the managers of any public elementary school,

whether provided by a school board or not, and any school attendance committee, shall furnish to the council, which will on the appointed day become the local education authority, such information as that council may reasonably require.

Sub-sections (16) to (21) deal with officers. See Superannuation, page 265.

#### SECOND SCHEDULE—(*continued*).

(22) Section sixty-eight of the Local Government Act, 1894 (which relates to the adjustment of property and liabilities), shall apply with respect to any adjustment required for the purposes of this Act. (Act of 1902.)

The transfer of the powers, properties, rights, and liabilities of the school board or school attendance committee are transferred on the appointed day fixed by the Board of Education under Section 27 (2) of the Act. The other provisions of the schedule up to (16) are of themselves sufficiently explanatory. Sub-sections 16-21 are dealt with under the head of Superannuation of Officers, page 265, and Sub-section 22 incorporates Section 68 of the Local Government Act, 1894, which enacts as follows:—

Section 68 (1). Where any adjustment is required for the purpose of this Act, or of any order or thing made or done under this Act, then, if the adjustment is not otherwise made, the authorities interested may make agreements for the purpose, and may thereby adjust any property, income, debts, liabilities, and expenses so far as affected by this Act, or such scheme, order, or thing, of the parties to the agreement.

(2) The agreement may provide for the transfer or retention of any property, debts, or liabilities, with or without any conditions, and for the joint use of any property, and for payment by either party to the agreement in respect of property, debts, or liabilities so transferred or retained, or of such joint user, and in respect of the salary or remuneration of any officer or person, and that either by way of an annual payment, or, except in the case of a salary or remuneration, by way of a capital sum or of a terminable annuity for a period not exceeding that allowed by the Local Government Board. Provided that where any of the authorities interested is a board of guardians any such agreement, so far as it relates to the joint use of any property, shall be subject to the approval of the Local Government Board.

(3) In default of an agreement, and as far as any such agreement does not extend, such adjustment shall be referred to arbitration in accordance with the Arbitration Act, 1889, and the arbitrator shall have power to disallow as costs in the arbitration the costs of any witness whom he considers to have been called unnecessarily, and any other costs which he considers to have been incurred unnecessarily, and his award may provide for any matter for which an agreement might have provided.

(4) Any sum required to be paid by any authority for the purpose of adjustment may be paid as part of the general expenses of exercising their duties under this Act, or out of such special fund as the authority, with the approval of the Local Government Board, direct; and if it is a capital sum the payment thereof shall be a purpose for which the authority may borrow under the Acts relating to such authority, or the security of all or any of the funds, rates, and revenues of the authority, and any such sum may be borrowed without the consent of any authority, so that it be repaid within such period as the Local Government Board may sanction.



(5) Any capital sum paid to any authority for the purpose of any adjustment under this Act shall be treated as capital, and applied, with the sanction of the Local Government Board, either in the repayment of debt or for any other purpose for which capital money may be applied.

**Travelling Expenses.**—See Deputations and Conferences, page 70.

**Trust Deeds.**—In the Act of 1902, under Section 11 (1), the Board of Education may, with regard to the foundation managers, modify the trust deed of a school. Under Section 7 (6) religious instruction in a non-provided school must be in accordance with trust deed. Under Section 24 (5), unless the context otherwise requires, the expression “trust deed” includes any instrument regulating the management of a school or college.

**Urban District Councils.**—The councils of urban districts with a population of over 20,000 are the local education authorities for the purposes of elementary education under Part III. of the Act of 1902, and the councils of urban districts have, with boroughs, the power to spend money, including not more than a penny rate, on the provision of education other than elementary.

**University Extension Lectures.**—University extension lectures for pupil teachers.

These lectures are referred to in the report of the Departmental Committee on Pupil Teachers.

“The evidence given by various witnesses examined by us as to the desirability of encouraging pupil teachers to attend courses of University Extension Lectures, and of marks being counted in the King’s Scholarship Examination for certificates gained thereon shows clearly that attendance at such lectures is so great a benefit to pupil teachers as to make it desirable to encourage in every way possible the arrangement of courses of University Extension Lectures by school boards and other bodies responsible for the education of pupil teachers.

“We find that objection was made to these lectures by certain witnesses on the grounds that pupil teachers are too young to profit by them, that the instruction is too indefinite, and that the subjects of the Course of Lectures are often not suited to this class of student. Further, it was objected that the assigning of marks for University Extension Certificates in the Queen’s Scholarship Examination places the country pupil teacher at a disadvantage as compared with the town candidate, as in the case of the former it is practically impossible to organise Courses of University Extension Lectures. It was also stated that the amount of time spent in attending the lectures and classes, and in preparatory study, leads to overwork.

“On the other hand, many witnesses testified to the great good

which the abler pupil teachers have received from Extension Lectures, especially owing to their coming into contact with minds trained in University methods and ideas.

"We are of opinion that these lectures will be of increased value if special courses of lectures are arranged for pupil teachers. These lectures should supplement the ordinary course of their study; and, while maintaining the methods and standard of the present courses, the subjects should be specially chosen to meet the needs of pupil teachers, and should relate to those which the pupil teachers are taking in the ordinary course of study. We consider that such courses, if practicable, may be of value to students in training colleges, and more especially to those who fail to obtain entrance into a training college, and are working for the certificate examination.

"We, therefore, recommend that school boards and other bodies responsible for the training of pupil teachers should, where practicable, arrange for courses of University Extension Lectures to be given to the teachers under their care, the syllabus for such lectures being drawn up with special reference to the requirements of pupil teachers, though the lectures need not be attended by such persons exclusively." Under the syllabus for King's Scholarship examinations marks exceeding by 25 per cent the maximum for compulsory subjects are given to candidates holding university examination certificates, subject to the conditions of the syllabus.

**University Scholarships.**—These have been given under the Technical Instruction Acts, and in connection with the development of local university colleges will now, no doubt, be considerably extended by the councils.

**Use of Schools at Elections.**—Schools in receipt of Parliamentary grants may be used by the returning officers free of charge at Parliamentary, county council, guardians, urban and district council, and parish councils elections. The returning officer is to discharge any expense incurred by school managers in regard to such use. There is no right of free use of schools for municipal elections.

A public elementary school may not be used as a committee room at an election (46 and 47 Vict., c. 51).

Schools may, with the approval of the local authority, be used for election meetings. Schools may be used, free of charge, in any rural parish by parish councils and parish meetings, and for the candidature of any person for the parish or district council subject to reasonable restrictions (Local Gov. Act, 1894, Sec. 4).

**Vagrant Children.**—The Bristol School Board have sought to obtain legislation dealing with vagrant children, and the

Association of School Boards have advocated such legislation, subject to safeguards for seeing that the expense of committal to industrial schools is not made a local burden.

**Wage Earning Children.**—During recent years considerable efforts have been made to regulate the employment of children who are outside the operation of the Factory and Workshops Acts. The employment may be classified under four heads :—

1. Children engaged in connection with shops.
2. Children engaged as street hawkers.
3. Children engaged in home industries and domestic work.
4. Children engaged in agriculture.

In 1901 a Departmental Committee (which had been appointed by the Home Office) reported on a considerable mass of evidence submitted principally by the London County Council and School Board—the Liverpool School Board and a Voluntary Association working under the title of the Committee of Wage Earning Children, of which Miss N. Adler is the Honorary Secretary.

The Report of the Departmental Committee\* discloses the absolute need there is for the protection of these children under the age of 14 years.

(1) The Parliamentary return shows that 15,132 children were employed in the shops in the Metropolis alone. Evidence was given that in 1,448 typical cases, 492 were found to be working under 20 hours weekly, 413 from 20 to 30 hours, 446 from 30 to 39 hours, 87 from 40 to 49 hours, and 10 for 50 hours and upwards. In barbers' shops lather boys are longer employed than in other shops, 40 hours weekly being the common task ; and this long confinement is frequently accompanied by conditions which are detrimental to health.

This extra labour is gone through by young children, who during the day are obliged to be in the day schools.

(2) Street hawkers. Statistics show that fully 60 per cent of the children in industrial schools were engaged in newspaper and other kinds of street hawking, and that the girls frequently fall into vice.

(3) Many of the domestic employments call very urgently for proper regulation. These children are, many of them, employed in sewing on buttons, finishing trousers, and match box and artificial flower making. Many of them are girls engaged for from 20 to 60 hours per week outside school hours.

(4) The Parliamentary Return shows that 6,115 children are engaged in agriculture, but this figure falls far short of the number actually employed out of school hours.

\* "Report of the Inter-Departmental Committee on the Employment of School Children (Cd. 849, 1901)," 3d. Eyre and Spottiswoode, East Harding Street, London, E.C.

The receipt of satisfactory wages by the parents is no preventive of the employment of the school children, and too often the children's earnings minister to the vicious habits of their father and mother.

"The Employment of Children Bill" was brought forward by the Home Secretary in July, 1902, but subsequently withdrawn. This Bill provided that the county councils and the councils of the county boroughs should have power to make bye-laws for the regulation of all miscellaneous employment of children, now outside the control of the law. The bye-laws were to regulate—

- (1) The age of such employment.
- (2) The hours of employment.
- (3) The prohibition of employments dangerous to health or morals.
- (4) The regulation of street trading by children.

The necessities of these children call for constant efforts being made to secure the protection designed to be supplied by this Bill, and with this object the Wage Earning Committee (of which Sir Charles Elliott is chairman) is calling public attention to the evil. The report of the committee, price 1d., may be obtained from the Honorary Secretary, Miss N. Adler, 6, Craven Hill, London, W. See *Street Trading by Children*, page 259.

### Welsh Intermediate Education Act, 1889.

Section 17. — (8) Any scheme for establishing an education committee of the council of any county or county borough in Wales or of the county of Monmouth or county borough of Newport shall provide that the county governing body constituted under the Welsh Intermediate Education Act, 1889, for any such county or county borough shall cease to exist, and shall make such provision as appears necessary or expedient for the transfer of the powers, duties, property, and liabilities of any such body to the local education authority under this Act, and for making the provisions of this section applicable to the exercise by the local education authority of the powers so transferred.

On the discussion of Clause 17 an amendment was accepted by the Government. [See Clause 17 (8) of the Act.]

The proposer, Sir Thomas Ellis, said that "those with whom he was closely identified fully appreciated the compliment paid them by the Government in respect of the admirable work done by the existing bodies in Wales so far as the administration of the Technical Instruction Act was concerned, but he wished strongly to urge that they preferred that all education in Wales should come under one authority. The object of the amendment was to avoid dual control."

Mr. A. J. Balfour said that "as the Committee was aware, and as the hon. gentleman had stated, Sub-section (8) was inserted in order to meet what were supposed to be the views of the Welsh members in regard to bodies that had done admirable service for education in Wales in the past. Of course the Government could not but welcome any change in the Bill that would put Wales in the same position as England in regard to education; and in the circumstances he would be glad, on behalf of the Government, to accept the amendment."—(Commons, 12th November, 1902.)



The Welsh Intermediate Education Act, 1889, makes provision for the intermediate and technical education of the inhabitants of Wales and the county of Monmouth. Intermediate education is described by the Act as "a course of education which does not consist chiefly of elementary instruction in reading, writing, and arithmetic, but which includes instruction in Latin, Greek, the Welsh and English language and literature, modern languages, mathematics, natural and applied science, or in some of such studies, and generally in the higher branches of knowledge."

Funds and schools are administered by governing bodies constituted under the Act, and the object of the foregoing provision is to prevent over-lapping and dual control.

**Window Cleaning.**—As a rule the windows of schools are not kept sufficiently clean. Contracts with window cleaning companies may, with advantage, be entered into. The cost of cleaning the windows of a school for 1,000 children is in Manchester about £3 for each time the windows are cleaned.

**Woodcarving.**—This is a subject which may be introduced with advantage into evening schools. It is well to explain, however, that it is a somewhat expensive subject to teach. An artisan instructor must, as a general rule, be engaged, and the charge for his services for two hours in the evening will be from 3s. 6d. to 5s. About twelve pupils may be instructed at one time in a class. The tools required for elementary work are the following :—

Set of 10 Carving Tools, value 6s. per set.

It will be found most convenient for each pupil to have his own set. These, in a strong box, with a mallet (at 8d.), oil stone (at 1d.), and clips, will cost about 7s. 6d. per set. Care must be taken to get good tools, and to make arrangements for the sharpening of them, outside the hours of instruction, by the pupils themselves. The design is drawn on blocks of common wood (size 9in. by 4½in. for beginners), and cut out by means of the tools employed.

A serviceable double bench, made in deal, will cost about 18s. (size 15ft. by 4ft.), affording accommodation for eight pupils at a time.

It is imperative for pupils to practise out of school hours if any progress is to be made.

#### WOOD-CARVING.

##### *First Course.*

Evening class meeting, say two hours, twice a week :—

Practice of simple channel cuts with gouge and chisel.

Chip-carving, indenting, and stamping simple patterns.

*Second Course.*

Practice in tracing from designs; outlining simple forms of leaves and ornament with chisel, gouge, or parting tool.

Carving flat patterns with very little modelling.

*Third Course.*

For a class meeting three or four nights a week:—

Drawing, tracing.

Modelling in clay, but only roughly, so as to obtain an idea of form and mass.

Carved studies in pine, such as leaves, fruit, &c.

Carving patterns in low relief, bold relief, and high relief.

Carving in the round.

**Women and Girls, Instruction of.**

One of the most pleasing features of the recent development of technical instruction is the attention now being paid to the needs of women and girls. In all parts of the country, wherever local authorities and county councils have taken in hand technical instruction, the schemes embrace such subjects as cookery, dressmaking, and laundry work.

A successful experiment has been carried out in Manchester to organise such instruction, of a more or less advanced kind, in special schools for women and girls, being pupils over 16 years of age. These schools have been called "Evening Institutes for Women and Girls."

The following are the details of the scheme of instruction adopted, and I will only add, in passing, that such an organised system of instruction, under the control of lady superintendents, is of far higher value than the establishment of isolated classes in cookery and dressmaking, held without any connection with each other. Education authorities are now, I am glad to say, encouraging organised evening schools.

*Scheme of Instruction.*—To provide continuous instruction on three (or five) nights each week in the following subjects: Cookery, millinery, needlework and cutting-out, dressmaking by tailor measurement, laundry work, sick nursing, physiology, ambulance work, domestic economy, English literature and composition. Each centre is supplied with a perfectly fitted-up laundry, and all appliances necessary for teaching the various subjects taken.

*Time Table.*—The following is an example of a time table. It will be seen that the subjects have been so arranged that pupils not able to attend regularly on given nights in the week may have a choice of alternative nights for the different subjects:—

| EVENINGS.       | HOURS.       | SUBJECTS                  |
|-----------------|--------------|---------------------------|
| Monday.....     | 7 to 9 ..... | Cookery Demonstration     |
| " .....         | " .....      | Dressmaking               |
| " .....         | " .....      | Laundry                   |
| " .....         | 7 to 8 ..... | Domestic Economy          |
| " .....         | " .....      | English Literature        |
| " .....         | 8 to 9 ..... | Domestic Economy          |
| " .....         | " .....      | English Literature        |
| " .....         | " .....      | Physiology                |
| Tuesday .....   | 7 to 9 ..... | Cookery Practice—Group I. |
| " .....         | " .....      | " " " II.                 |
| " .....         | " .....      | " " " III.                |
| " .....         | " .....      | Dressmaking               |
| " .....         | " .....      | Laundry                   |
| " .....         | " .....      | Millinery                 |
| " .....         | 7 to 8 ..... | Domestic Economy          |
| " .....         | " .....      | Physiology                |
| " .....         | " .....      | English Literature        |
| " .....         | 8 to 9 ..... | Domestic Economy          |
| " .....         | " .....      | English Literature        |
| Wednesday ..... | 7 to 9 ..... | Cookery Demonstration     |
| " .....         | " .....      | Dressmaking               |
| " .....         | " .....      | Laundry                   |
| " .....         | " .....      | Millinery                 |
| " .....         | 7 to 8 ..... | Domestic Economy          |
| " .....         | " .....      | English Literature        |
| " .....         | 8 to 9 ..... | Domestic Economy          |
| " .....         | " .....      | English Literature        |
| Thursday .....  | 7 to 9 ..... | Cookery Practice—Group I. |
| " .....         | " .....      | " " " II.                 |
| " .....         | " .....      | " " " III.                |
| " .....         | " .....      | Dressmaking               |
| " .....         | " .....      | Laundry                   |
| " .....         | 7 to 8 ..... | Domestic Economy          |
| " .....         | " .....      | English Literature        |
| " .....         | 8 to 9 ..... | Domestic Economy          |
| " .....         | " .....      | Physiology                |
| " .....         | " .....      | English Literature        |
| Friday .....    | 7 to 9 ..... | Cookery Demonstration     |
| " .....         | " .....      | Dressmaking               |
| " .....         | " .....      | Laundry                   |
| " .....         | " .....      | Millinery                 |
| " .....         | 7 to 8 ..... | Domestic Economy          |
| " .....         | " .....      | English Literature        |
| " .....         | 8 to 9 ..... | Domestic Economy          |
| " .....         | " .....      | English Literature        |

Lectures on Ambulance Work, Sick Nursing, and Hygiene are given during the session. When the course covers three nights instead of five each week, the time-table will need some adjustment.

*Advanced Cookery.*—The cookery is taught both in theory and practice by duly qualified lady instructors. The course includes instruction in the preparation for the table of every-day food, the use of cooking utensils, and lessons in domestic economy and household management. Demonstrations in middle-class cookery are given for senior pupils. Better-class dishes are

cooked, such as meat and fish entrées, plain and fancy pastry and puddings, omelets, jellies, creams, and cakes, as well as a few decorated dishes suitable for Christmas. The dishes cooked can be sold at cost price generally to the pupils. The utensils already used in the day school will have, to a small extent, to be supplemented by moulds, and a few other appliances to be supplied as required by the teacher. Gas stoves should be used. When a properly-fitted room is not available, a class-room of moderate dimensions will answer fairly well.

*Millinery.*—The instruction consists entirely of practical work under the supervision of a skilled milliner. The pupils provide all their own materials. The trimming of children's hats and bonnets should not be overlooked by the teacher.

*Needlework and Cutting-out.*—Here the work may follow generally the Schedule of the Code, and the class may be a preparatory one for the dressmaking class.

*Dressmaking.*—Taught by the blackboard, in order to show the pupils how to take the various measurements for the bodice. Then the pupils measure one another, and draft paper patterns, afterwards cutting-out their dresses in their own materials, the teachers carefully checking the measurements before the cutting-out is commenced. Each pupil must be supplied with a tailor's measure (value 3s.), a tracing wheel (value 1d.), and printed directions showing the various measurements necessary. It must be borne in mind that the object of the class is not to turn out dressmakers, but to enable the pupils to make their own dresses.

*Laundry Work.*—A specially-appointed room must be provided for the teaching of laundry work, instruction being given by a duly-qualified teacher in the washing of various kinds of clothes, drying, folding, ironing, clear-starching, &c. The following is a scheme of work :—

COURSE OF LESSONS IN ELEMENTARY LAUNDRY WORK.—Ten lessons of two hours each; demonstration, three-quarters of an hour; practical work,  $1\frac{1}{4}$  hour.

1. Washing flannels. Use of ammonia, &c.
2. Disinfecting and removing stains. Salt, handkerchiefs, stockings, &c.
3. Properties of water and of soap. Method of washing lace, muslin, &c. Boiled starch.
4. Ironing, irons. Cleaning and heating. Table.
5. Washing body linen. Mangling, drying, &c.
6. Cold starch. Ironing and polishing linen. Turpentine, wax, borax.
7. Ironing of body linen. Damping, folding, &c.
8. Paraffin washing. Rinsing and hanging to dry.
9. Washing prints and silk. Gellering. Setting and renewing colour.
10. Washing silk and woollen fancy work, cretonne, &c.

The course might be increased to twelve lessons, and 11 and 12 be devoted to the getting-up of a shirt. Each laundry should



have a wringing machine, a clothes horse for drying clothes, gas stove for heating irons, tables for ironing, &c., together with a supply of ironing blankets, &c.

*Ambulance Lectures.*

*Lectures on Sick Nursing.*—During the session a course of lectures on sick-nursing should be given by a lady with hospital experience. The following is an admirable series of lectures :—

SICK-NURSING LECTURES.

1. THE SICK ROOM.—How to arrange and ventilate the sick room. How to make up the bed and change the sheets and bed linen.
2. THE SICK NURSE.—Daily duties to patient. How to wash and feed him. Notes for the doctor. Bed sores, &c.
3. INFECTIOUS DISEASES.—Precaution. Disinfectants. Fumigation. How to keep, break, and apply ice, &c.
4. OUTWARD APPLICATIONS.—Fomentations. Poultices. Plaisters. Ointments. Lotions. Baths. Hot and cold packs, &c.
5. NURSING OF CHILDREN.—Thrush. Convulsions. Rickets. Whooping-cough. Croup, &c.
6. EMERGENCIES.—Accidental poisoning. Fainting. Fits. Burns and scalds. How to put out fire. Drowning. Artificial respiration. Bleeding. How to bandage, &c.

The lecturer should be provided with a suitable platform. For the first lecture an ordinary hospital iron bedstead and mattress, with sheets, must be provided, and a young girl can enact the part of the patient. A pan, with gas stand, will be required for the poultice making in the fourth lecture. Lint bandages, &c., will also be required.

It seems hardly necessary to add that no member of the sterner sex should be present at the lectures. As a full room is conducive to a successful lecture, the pupils should be encouraged to bring their friends. Those who do not belong to the institute may very well pay a 1s. for admission to the course of lectures.

*Physiology*—This is an exceedingly valuable subject to take up. Of course it can only be treated of in its elementary stage.

*Hygiene.*

*English Literature.*—A standard English novel, of moderate length, such as "Mary Barton," "Cranford," "Silas Marner," &c., may be read with advantage.

The composition may consist of notes of the lectures on sick-nursing, to be carefully revised by the teacher.

*Prizes and Certificates* may well be given. Certificates should also be given for attendance at the cookery classes where an examination in theory is not possible. It would be preferable, however, to make the award of the certificates depend upon the proved possession of knowledge. Certificates should also be awarded for dressmaking, laundry work, and sick-nursing where examinations can be held.

**Women on Education Committees, &c.**

Sec. 23 (6). A woman is not disqualified, either by sex or marriage, for being on any body of managers or education committee under this Act.

Sec. 17 (3) (c). The scheme for the constitution of an education committee provides "for the inclusion of women as well as men among the members of the committee." (Act of 1902.)

To a question asked in the House of Commons on 22nd October, 1902, the Secretary of the Board of Education (Sir William Anson) replied that—

"Under the Education Bill women will be eligible for the boards of managers of public elementary schools. They will also be eligible for places on the education committee of the local education authority. This is plain from the terms of the Bill. It has always been the declared intention of the Government."

**Workshops.**—See Employment of Children.

**Youthful Offenders.**—See Act of 1901 dealing with youthful offenders, page 502.

## APPENDIX TO PART II.

**Popular Education in England and Wales During the Century.**

"O for the coming of that glorious time, when,  
 Prizing knowledge as her noblest wealth,  
 And best protection, this Imperial Realm,  
 Whilst she exacts allegiance, shall admit  
 An obligation on her part to teach  
 Those who are born to serve her and obey."

—*Wordsworth.*

The end of the year which saw the passing of the Education Act, 1902, completed a period of 32 years since the first Education Act brought into existence the School Boards, and the majority of the great Boards more than completed the tenth of their triennial periods of work. The opportunity is a fitting one for giving a retrospect of popular education during the century, and for reviewing school board administration during a period in the history of national life, sufficiently long to afford a perspective of local educational administration, with a reasonable claim for coming to some conclusions as to the effect of the legislation with which the name of Forster will ever be pre-eminently and honourably associated.

Prior to the beginning of the nineteenth century the State took no interest in the education or welfare of children, and it was to the endowment of the pious founders of free grammar schools, and to the labours of the clergy and philanthropic laymen, that education for the people owed its existence. The discoveries of Watt in the application of steam, and of Arkwright and others in the invention of machinery for textile purposes, laid the foundation of our prosperity in the manufacture of cotton and other woven fabrics. The century was about two years old when the first Sir Robert Peel, himself at the time a manufacturer employing some fifteen thousand persons, and who has been described as a pioneer of the commercial greatness of England, carried through Parliament the first factory legislation, the object of which was well described by its name: "An Act for the Preservation of the Health and Morals of Apprentices and others employed in Cotton and other Mills and Cotton and other Factories," dealing with the better lodging, better clothing, and the separation of the sexes in the case of such apprentices. The subsequent heroic efforts of Lord Ashley and others in their fight for the protection of the children employed in labour—the securing of not only the passing of humane legislation, but also of

that which was of still greater importance, the carrying of the law into effect—stand out in brilliant contrast to the general indifference of the State to the claims which called aloud to common humanity in the first third of the century prior to the first Reform Act, when the House of Commons was in the hands of monopolists of various interests, and the interests of the people were at a terrible discount. The knowledge of the suffering endured by helpless children, many of them infants, nerved the dauntless efforts of Ashley and his friends to secure redress. The growth of manufactures caused a demand for cheap labour, and the greed of the masters and the parents caused little children to be put to work as soon as they could walk to the mill. A vicious system of apprenticeship prevailed, and we are told of waggon loads of children from the streets of London being deported to Lancashire cotton mills. Sir Samuel Romilly, who during his life did so much to render more merciful the brutal criminal laws of his time, and who was the sworn enemy of slavery in every form, writing of the hardships and cruel treatment endured by the young, said: "The poor children have not a human being in the world to whom they can look for redress." Apprenticeship for the girls too often was the beginning of a life of shame, and for the boys one of vice and misery.\*

A contemplation of the history of the period before factory legislation makes it difficult to realise to-day that such a state of criminal negligence ever existed in a country always the foremost in its professions of Christianity, and leads to the satisfaction we feel in living in better times, although it is even yet contended by many that child-labour should not exist in any shape or form. At all events the people have now the matter entirely in their own hands, and no government can now be held responsible to the same degree as was the case before Disraeli gave household suffrage. That the people still need some education on the question of child-labour is evidenced by the very mixed reception given to Mr. Robson's Act of 1899 extending the age for half-timers to twelve years.

Factory legislation is intimately bound up with the moral and material advancement of the people, alike designed by all wise systems of primary education, and prior to 1870 we find in factory and workshop legislation the first kind of compulsory education enforced by the State: but it cannot be claimed for the Factory Acts that primarily their purpose was educational. A recent writer even goes so far as to say that "it was their object to prevent the child from working (full time) before a certain age, and as the best of all proofs that he was not at work was the fact that he was at school, school attendances were required by law."†

\* Walpole's *History*, I., 187; III., 200.

† Escott's "England," revised edition, page 144.



The history of the dealings of the State in the matter of education during the first seventy years of the century is not one of striking interest, or which in any way redounds to the credit of the nation. This is particularly the case with England and Wales, to which the Reformation had given no such valuable inheritance as it gave to Scotland in the parish schools, and which, advanced by the legislation of 1696 "for settling of schools," inadequate as it was for the large towns and the Highlands and Islands,\* at all events provided for the maintenance of one rate-aided school in each parish.†

England and Wales at the beginning of the century had no system of primary education. "Many endowments had been created, various societies raised considerable sums annually for the purpose, the clergy and ministers in many parts of the country were zealously promoting schools according to their different ideals; but there was no relation between the different bodies, no independent test of their work, and no control over them if they failed in the performance of it. It was known that the elementary instruction given was very defective, and that the foundations of pious benefactors were in many cases badly administered."‡

The two great societies whose powerful influence in connection with the provision of primary education in England and Wales has been maintained until the present time, were the British and Foreign Schools Society, founded 1808, being the direct result of the labours of Joseph Lancaster and his monitorial system, the forerunner of what is now known as undenominational education,§ and the great National Society for Promoting the Education of the Poor in the Principles of the Established Church—in whose schools instruction was given in the Catechism and Liturgy of the Church of England. These schools came to be generally known as National Schools, and were conducted on Dr. Bell's Madras system, which, like Lancaster's, was a system of instruction by the aid of monitors. The operations of the latter society, largely owing to the parochial system of the Church of England, permeated the whole country. It is in the main to these two societies, and to the Roman Catholic Church, that the inhabitants of this country were indebted for the provision of primary education prior to the passing

\* Balfour's "Educational System of Great Britain and Ireland," page 131.

† The deficiency of school accommodation in Glasgow in 1873 was 30,000 and in Edinburgh 4,000 school places.

‡ Balfour's "Educational System of Great Britain and Ireland," page 1.

§ The society's schools came to be generally called British schools. In them religious instruction based on the Bible was given. It was not of a denominational character, and the children were enjoined to attend places of worship of the same religious persuasion as their parents.

of Forster's Act. The relationship of the State to the education of the people from 1800 to 1870 is one largely of apathetic indifference. It is true that at various times during the period there were not wanting a few members of Parliament who had the wisdom to see how much the safety and greatness of the realm depended upon the education of the children, and how largely ignorance was the producer of crime, poverty, misery, and vice, and a real danger to the stability of good government. Among such men may be mentioned the name of Samuel Whitbread, M.P. for Bedford, and brother-in-law of Earl Grey, who in 1807 introduced into the House of Commons a Parochial Schools Bill, with the object of founding a school in every parish, as in Scotland, by means of the local rates. This measure was passed by the House of Commons, but rejected by the Upper House, Lord Chancellor Eldon opposing it with all the weight of his age, ability, and character. He characterised it as one of the rash delusions of his time. This was the period when Sydney Smith said there was no Protestant country in the world where the education of the poor had been so grossly and so infamously neglected as in England. Whitbread died in 1815, and the charge of the question was taken up by Lord Brougham. From this time up to the appointment of the Privy Council Committee in 1839, Brougham was unwearied both in Parliament and in public life in his efforts to promote the cause of the education of the people. As was said by a public writer of the time, the light shed by his efforts for popular intelligence "will illumine his tomb when his errors and imperfections are forgotten." Brougham in his autobiography speaks of them as his most appropriate monument. It is not necessary for the purposes of this article that I should deal with all the futile efforts made in the cause of popular education in the years which immediately preceded the granting of reform in 1832. The two greatest events connected with the provision of education each immediately succeeded an extension of the franchise, and action by the State, in what this article may well claim to be the most important department of domestic administration, has been the direct result. The first grant of public money by the State was made in 1833—the year after the passing into law of Lord Russell's Reform Bill—Lord Althorp moved for a grant of £20,000 to be expended on the advice of the National Society and of the British and Foreign Schools Society in connection with the erection of schools. Speaking almost in a prophetic vein his lordship stated that this was the commencement of a new system, the extent of which the House of Commons could not foresee. The vote was opposed by Hume on grounds of economy, and Cobbett had the bad taste to say that schoolmasters were "a new race of idlers." It would seem that it was almost as difficult in 1833 to keep a house for the discussion of educational questions as it is sometimes at the present day, for we are told that the vote was carried in a house of

76 members. What Lord Althorp would have said if he had known that the grant of £20,000 in 1833 would, by reason of legislation during the next 68 years, have risen to an expenditure in England and Wales of Imperial grants amounting to £9,750,000 per annum, supplemented by local rates probably amounting to £6,300,000, it is somewhat difficult to surmise. It was a memorable period. Twenty millions were voted for the abolition of slavery, and local government received its great stimulus in the passing of the Municipal Corporations Act—that great concession to popular right which has resulted in our splendid system of local administration, in which the school boards were unimportant factors. The grant of £20,000 was not without its injustice. In the first place, it was given to the Protestant churches alone, an inequality which was remedied six years later when it was increased to £30,000, and the Roman Catholic schools were allowed to participate. Secondly, it shared the fate of all the doles which have been given by successive Governments from then to the present time. It created inequalities which gave rise to dissatisfaction. Based on the principle of giving grants to meet like sums raised by local effort, it resulted in one class of schools ultimately obtaining three-fourths of the grant, owing to the wealth of their local subscribers, and in poor localities education fell to the lowest point. In 1839, the Education Department was organised under the Lord President of the Council and four other members of that body, and the grant from the Government was extended to maintenance. But it was not until 1856 that the first Vice-president was appointed. The members of the committee have since consisted of the principal ministers of the Crown, and have changed with each administration. Lord Lansdowne was the first President, and the first grants in aid of maintenance were given for the training of teachers. Violently as the proposals of the Government were attacked, it now seems that £30,000 was but a miserable contribution towards the educational needs of a population of 15,000,000 people. Carlyle called it “a small fraction of the revenue of one day,” and Brougham pointed out with his characteristic sarcasm, that in the same year the sum of £70,000 was voted for the erection of Royal stables.\* It is noteworthy that both Gladstone and Disraeli opposed the proposals of the Government. The administration had, however, behind them the highest person in the State, as her Majesty had used her influence with Lord Melbourne to promote primary education—for this was a work on which she had set her heart for having her reign remembered.†

From 1839 to 1850 £500,000 was spent on education. As already stated, the object of the first grant was to promote the

\* Walpole's History, III., page 487.

† Life of Melbourne, II., page 309.

erection of new schools, and the number considerably increased, but were generally "ill-furnished, ill-warmed, and ill-supplied with books and apparatus." More than this, the most important agent, the teacher, was in a deplorable condition. "He had often an income very little greater than that of an agricultural labourer, and very rarely equal to that of a moderately skilful mechanic. Even this income was to a certain extent contingent on the weekly pittance paid from the earnings of his poor neighbours, and liable to be reduced by bad harvests, want of employment, strikes, sickness among the school children or his own ill-health. The monitors who were his assistants were usually under twelve years of age—some of them as young as eight or nine—and they were, in general, very ignorant, rude, and unskilful."\* The fifties was a period of great opposition to the progress of education, and the inspection of schools. Matthew Arnold records that, on one occasion he received a letter from a trustee of a school which he proposed to visit on account of a building grant made to it some years previously to the effect that he—the trustee—"would never permit an emissary of Lord John Russell or any other Turkish Bashaw to enter his school." Arnold adds, however, that the body of promoters of Church of England schools, and the majority of the Wesleyans and the supporters of the British schools were concerned that the cause of popular education should suffer a check—the more so that it might be said that the check was owing to their religious disputes. In 1846 the Government of Lord John Russell had issued the celebrated minutes of that year. Schools were to be helped by the encouragement of voluntary contributions, and Government aid was designed to improve their management and efficiency by causing voluntary effort to be the means of securing contributions from the State. Lord Macaulay supported the minutes, and Bright opposed them. The system of apprenticeship was improved. Boys and girls of 13 were engaged as pupil teachers at salaries rising from £10 to £20 paid by the Government—gratuities being paid to the principal teachers for their instruction—scholarships were founded in training colleges, and the system of giving grants to these colleges on the result of the certificate examination was inaugurated. It was thus sought to improve the monitor, the normal schools, and the teachers. These minutes were the work of Sir James Kay-Shuttleworth, the first Secretary of the Committee of Council on Education. In 1849 there were 681 certificated teachers and 3,580 pupil teachers. In ten years the number of certificated teachers had advanced to 6,878, and the pupil teachers to 15,874. The Duke of Newcastle's Commission to enquire into the state of popular education in England, reported in 1861 (at a time when the Government grant

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\* Matthew Arnold's article on Schools—Reign of Queen Victoria, Vol. II., page 251.



amounted to three-quarters of a million) that the Commissioners were of opinion that the system was too complicated, that it threatened to overwhelm the central office, and they recommended the transfer to the local rates of a considerable portion of the charge. Great fault was found with the system of instruction. The upper classes were too showy, and the junior scholars were, in the opinion of the Commissioners, neglected. As a remedy the mischievous system of payment on results was recommended—the capitation grant to come from the county rates. Robert Lowe was now Vice-president of the Council, and Sir James Kay-Shuttleworth having retired, the present Lord Lingen was Secretary. It was thought that the Government had done enough, and that the schools might be trusted to go alone. The officials of the Department, encouraged by the retrogressive recommendations of the Commission, introduced their Revised Code, the provisions of which were even more mischievous than the proposals of the Commissioners. The training colleges were to be impoverished, and the capitation grants were to depend upon the results of individual examination. The remedy was worse than the disease. Lowe revelled in unpopularity, and the opposition succeeded in securing that one-third of the Government assistance should be a block grant for attendance, and that only two-thirds should depend on the results of examination. Classification by age was abandoned, and the pupils were to be arranged in six standards—a child to go forward by one standard each year. As Matthew Arnold says in the article from which we have already quoted: “No serious and well-informed student of education, judging freely and without bias, will approve the Revised Code. In other countries no such plan is followed. It is said that the State must have the security of such a plan when State aid to schools rises so high as it has risen in England; but in France, where the State is taking upon itself almost the whole charge for the popular school, no such plan is adopted or contemplated. That is because the serious and well-informed opinion of educators has more influence on school regulation abroad than it has in England. In England it has little or none.” If we substitute for educators the parents and parliamentary voters and ratepayers, we are at one with Arnold in thinking that real educational progress depends on them as much now as it did at the time when he wrote the words we have quoted. The result of the Revised Code was the decrease of the Government grant, and the state of education in this country was rapidly sinking into a perilous condition. The night is at the darkest preceding the dawn, and what is true of natural conditions proved to be the case with popular education.

Lord Palmerston's Government was bent on the reduction of the grant in aid of education. This is proved by the fact that in the estimates for 1860 the education vote was reduced, the first time such a thing had happened since 1834. We have seen what

was achieved by the Duke of Newcastle's Commission—it certainly did not help forward educational reform, and the six large volumes in which are enshrined the results of the enquiry are principally valuable for the complete history they give of the state of education. There were not wanting, however, men in Parliament who desired to see radical changes brought about. Sir John Pakington was one of the most active, and he brought forward a bill (which shared the usual fate) giving powers for the enforcement of school attendance by compulsion. Bruce, afterwards Lord Aberdare, succeeded Lowe on his downfall at the Education Department; and in 1865 we find the Government grants had fallen to £693,078, and in the following year to £511,234. Lord Palmerston died in 1865, to be succeeded as Prime Minister for a brief period by Earl Russell. Then came a change of Government, with Lord Derby as Prime Minister, and the examination grants to schools were advanced. Bruce brought forward a permissive bill enabling boroughs to levy school rates; the local authority being chosen from the town council, and, where there was no municipality, from the general body of ratepayers. At the opening session of Parliament in 1867 we find this statement in the Queen's speech. "The general question of the education of the people requires your most serious attention, and I have no doubt you will approach the subject with a full appreciation both of its vital importance and its acknowledged difficulties." Further Government proposals for legislation ensued, but were withdrawn, and Bruce again re-introduced his bill, only, however, to share the old fate.

The most casual reader of the history of our country at the time immediately succeeding the death of Lord Palmerston must be struck with the important position the education question had now taken in the public mind. The strong tide of feeling now setting in showed that a comprehensive law dealing with the whole question must be the natural corollary of Disraeli's "leap in the dark" when he carried household suffrage through Parliament. In different parts of the country the strongest agitation was on foot, particularly in Lancashire. Manchester produced its Education Bill, the one brought forward by Bruce, and a great voluntary body known as the Manchester Education Aid Society had been established in 1864 for the purpose of coping with educational destitution. This society paid the fees, either in whole or in part, of indigent children; and it was stated that in two years 10,000 children were taken off the streets and put into schools. The reports of the society showed too that these were probably not half the children who were not receiving any regular instruction.

The Education Aid Society, which was composed of leading citizens belonging to different churches, and to both political parties, speedily came to the conclusion that compulsory atten-

dance at school was an absolute necessity. In Birmingham, the Education League was also active. The following were its object and proposed means :—

*Object.*

The establishment of a system which shall secure the education of every child in the country.

*Means.*

- (1) Local authorities shall be compelled by law to see that sufficient school accommodation is provided for every child in their district.
- (2) The cost of founding and maintaining such schools as may be required shall be provided out of local rates supplemented by Government grants.
- (3) All schools aided by local rates shall be under the management of local authorities, and subject to Government inspection.
- (4) All schools aided by local rates shall be unsectarian.
- (5) To all schools aided by local rates admission shall be free.
- (6) School accommodation being provided, the State, or the local authorities, shall have power to compel the attendance of children of suitable age not otherwise receiving education.

The programme of the League as to religious instruction was, to state it concisely, "Bible reading or not, at the option of rate-payers." \*

The two Education Unions, one in Manchester and the other in Birmingham, were formed to counteract the efforts of the Birmingham League and others advocating secular training only. It was in the midst of the agitation caused by these powerful organisations that the Government measure was submitted to the House of Commons on the 17th February, 1870. The following are the main provisions of the Act which created our present system of English popular education :—

The division of the country into school districts.

The power of the Education Department to ascertain and to declare deficiency of school accommodation.

The discontinuance of denominational inspection of schools.

The creation of a conscience clause.

School boards (where established) to be elected by the rate-payers.

Compulsory attendance at school to be adopted where school boards so desired it.

\* Adams' "Elementary School Contest," page 20z.

The provision and maintenance of schools by school boards where there was a deficiency of accommodation.

The transfer to the school boards of the powers of the prison authority for the provision and maintenance of Industrial schools.

Levying by the school boards of local rates to maintain schools and to provide for administration charges.

The voluntary schools not to participate in the local rates, excepting so far as they were benefited by the operation of what was known as the 25th Clause, enabling boards to pay the school fees of poor children.

It is noticeable that, although under certain conditions school boards might establish free schools, subject to the approval of the Education Department, in no case was such permission granted under the powers of the Act, and the boards were rigidly bound to charge fees. In the original draft of the bill it had been proposed that the local authority should give grants to all voluntary schools out of the rates, but this not meeting with favour, the Government decided to increase the Government grants. With reference to this, Gladstone said in the House of Commons: "It is said that the expense of educating a child in an efficient secular school is thirty shillings; of which it may be said that one-third is now provided by the Privy Council, one-third from other sources, and one-third by payments by the children. We think that if to the one-third which is now dispensed, the half of the second were added, the voluntary schools would have no reason to complain."

The compulsory attendance clauses of the Act of 1870 were entirely permissive, and the religious instruction in board schools was to be undenominational. The fears so openly expressed in the debates as to the spread of a purely secular system of education in the board schools have not been justified. The boards, with insignificant exceptions, have provided schemes of systematic religious instruction for their children, and the question of a secular system of education has now ceased to be a factor in school board elections.\* As to the efficient character of this religious instruction there can be no doubt. Its efficiency has been fully acknowledged all over the country. Amongst those who have borne willing testimony to this have been such prelates as Bishop Westcott, of Durham, and the late Bishop Fraser, of Manchester. Forster publicly declared more than once that he would be no party to a purely secular system of instruction.

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\* In 1894 there were only 57 out of 2,400 School Boards in England and Wales where no provision was made for religious instruction, reading, or observances. Of the 57, forty-three were in the Counties of Cardigan, Carmarthen, Pembroke, and Glamorgan; seven in the rest of Wales, and seven in England. (*Civil House of Commons paper Number 2, 1895.*)



Over the 25th clause of the Act of 1870 there raged a fierce public controversy—the power of the school boards to pay fees of poor children in voluntary schools being opposed, and an agitation for the abolition of the power was championed by Mr. Chamberlain. In 1873 the provisions of the Education Act were amended, principally in the direction of strengthening the details of administration. In 1876 when Disraeli was again in power there was passed what is known as Lord Sandon's Act, creating local authorities for school attendance in districts where there were no school boards. This Act transferred to Boards of Guardians the power to pay fees in voluntary schools, but left untouched the power of the school boards to remit such fees in their own schools. In 1880, Mr. Mundella, who was Vice-president, introduced a bill which passed into law and made the adoption of bye-laws for compulsory attendance obligatory on both school boards and school attendance committees, the Education Department having power in case of default to make bye-laws.

Whilst under the Act of 1870 attendance at school might be enforced, if the school boards thought fit, in 1876 (whilst the same power was given to the school attendance committees) it was made illegal to employ any child under the age of 10 years. The Act of 1880 completed the system by ensuring complete attendance at school of children under 10.

Before dealing with the results of the law of compulsory school attendance, it is necessary to refer to that great organic change brought about by Lord Salisbury's Government in 1891, in the granting to parents the right of free education.\* In 1889, by a grant from the Probate and Licence Duties, Scotland had already obtained a considerable sum towards the relief from the payment of school fees in State-aided schools, and an additional fee grant was now given to public elementary schools in England and Wales of 10s. per annum for each child between three and fifteen years of age in average attendance, the condition being that no fee should be charged for such children except where the average rate of fees had exceeded 10s. a year. In that case the school fee charged to the child, plus the fee grant, was not to exceed the former rate of payment. The acceptance of the new grant was almost universal, there being at the present time only about 91 schools out of 20,000 which have not accepted the arrangement. At the present time the percentage of fee-paying scholars in England and Wales is less than 13.

In this necessarily brief summary of educational legislation it is now only needful to add that in 1893 the age at which exemption from school attendance could be granted was raised to 11 years.†

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\* 54 and 55 Vic., Chap. 56.

† 56 and 57 Vic., Chap. 51.

By Mr. Robson's Act, which came into force with 1900, the age has been advanced to 12, and this now becomes the minimum age for half-timers.\* An Act of Parliament for the education and maintenance of blind and deaf children was passed in 1893†, and in the Parliamentary session of 1899 similar powers were given to school boards and other local authorities with regard to children suffering from physical or mental deficiencies.‡ The latter Act is, it should be mentioned, permissive in its operations. The administration of these Acts of Parliament will be dealt with in a later portion of this article.

In 1897 legislation was obtained for the granting of additional aid to voluntary schools.§ This was done by means of associations representative of voluntary school managers; the associations being at liberty to administer the amount according to the needs of their schools. The Education Department under statutory authority have fixed 3s. 3d. as the grant to country schools, and 5s. 9d. as the grant for schools in urban districts. By the same Act the rule of the Act of 1876, by which the annual Government grants to schools were not to exceed 17s. 6d. per head, or the amount of income per head from other sources than grants, was abolished in the day schools, but for some inscrutable reason was retained as regards grants in evening schools.|| Voluntary schools were also made exempt from the payment of rates. In the same year, by the provisions of the Elementary Education Act (1870) Amendment Act, 1897, the Education Department gave additional grants in aid of the rates in school districts.¶ This was paid in addition to the ordinary annual Parliamentary grant to the board schools of the districts qualifying for such assistance, principally populous districts with low rateable values.

The Annual Code of the Board of Education and the Directory of the Science and Art Department deal with the inspection of day and evening schools, the management and the grants paid. Payment by results has now disappeared from the codes of the Department.

The Education Act of 1870 was the natural result of wise statesmanship, which granted household suffrage. The dangers of an ignorant democracy were foreseen by both the great political parties, and the legislation affecting education was the work of compromise, the desires of those who wished to make it an entirely State provision for secular instruction being tempered by the determination of others that the voluntary system should still live, and this was largely owing to the belief that it provided the best safeguard for the maintenance of religious instruction. Hence it was that Forster's Act, whilst providing for the election

\* 62 and 63 Vic., Chap. 13. † 56 and 57 Vic., Chap. 42. ‡ 62 and 63 Vic., Chap. 32. § 60 Vic., Chap. 5. || Since abolished. ¶ 60 Vic., Chap. 16.

of local authorities charged with the provision of a new kind of school accommodation at the cost of the ratepayers, managed by their representatives, coupled with the power to enforce the attendance of children at school, also gave fresh assistance and official recognition to the former method of providing instruction by voluntary bodies, and conferred on the managers of both classes of schools the power to provide religious instruction subject to the operation of the conscience clause. The establishment and maintenance of Board Schools, aided by local rates, was a departure of a most revolutionary character in the annals of primary education, but the adoption of the principle of compulsory attendance at school, enforced by the magistrates, was even more revolutionary. When the Education Bill was before Parliament in the session of 1870 there were not wanting those who opposed what they considered an infringement of the liberty of the people, and who were not backward in avowing their belief that compulsory attendance at school would be attended by parental revolt, and ultimately end in complete failure. How these fears turned out to be groundless, and how the success of the partial application of the new law led to the making of it universal in 1880 are now matters of history. To the first School Boards belongs the credit of bringing compulsion into successful operation. That care and discretion were needed to bring about the change goes without saying, and it could only have been brought about by local authorities elected by the ratepayers in close touch and sympathy with their constituencies. Had the working of the law been entrusted to a Government department, and been carried out by any method of police administration, or by inspectors appointed by a central authority, the result would have been otherwise. The School Boards wisely, by means of their attendance committees, gradually attacked the evils of non-attendance at school by persuasive methods. By interviews with careless and negligent parents the School Boards, through their Rota Committees, very carefully discharged their delicate work, and gradually reduced to a residuum those whom it was found necessary to bring before the magistrates for continued neglect. The system of grappling with the mischief of absence from school, thus happily inaugurated, has continued to be, up to the present time, the plan by which the Boards have carried out the administration of this, the most difficult part of their work. The Rota Committees meet regularly at such times and places as may be best suited for dealing with defaulters. At these meetings the statements of the school attendance officers, and the excuses of the parents, are carefully and patiently listened to, practical measures are taken to meet the difficulties of the poor, warnings are given to the careless and indifferent, the interests of the children are safeguarded, and, where necessary, police court proceedings are sanctioned, and criminal and neglected children are, by means of the Industrial School Acts, rescued from danger-

ous surroundings.\* All this, like most of the best work of local administration, goes on steadily week by week in the different school districts, without fuss or public notice, but none the less to the inestimable benefit of the community; and thus, by its careful administration, the law of compulsory attendance at school has been brought into operation without much friction, and without any symptom of the revolt so freely prophesied when the law was first proposed.

In 1886, a royal commission, of which Lord Cross was the chairman, was appointed to enquire into the working of the Elementary Education Acts, and in their final report, issued in 1888, the commissioners expressed great satisfaction with the striking increase in the number of children brought under tuition since 1870. In the appendix to the first volume of their reports there are given statistics which show that whilst in 1870 in grant-aided schools the number of scholars on the books was equal to 7·66 of the population, it had risen to 16·24 per cent in 1886, the direct result of the operation of the law of compulsory attendance at school. The last returns of the Board of Education for 1901 show that the percentage has now reached 18. In 1870 the number of scholars in average attendance was 68·9 per cent on number enrolled, and this had increased in 1901 to 82·17. Viewed in another way, the returns of school attendance for

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\* In connection with this we cannot do better than quote the important opinion of Mr. Charles Booth, who availed himself of the information obtained by the School Board visitors of London in the compilation of the information regarding poverty in his monumental work. He says: "For the district inquiry, resulting in the division of the people into eight classes, I have relied upon information obtained from the School Board visitors, of whom there are sixty-six in the district, and my tables are based on three assumptions. The School Board visitors perform amongst them a house-to-house visitation; every house in every street is in their books, and details are given of every family with children of school age. They begin their scheduling two or three years before the children attain school age, and a record remains in their books of children who have left school. The occupation of the head of the family is noted down. Most of the visitors have been working in the same district for several years, and thus have an extensive knowledge of the people. It is their business to re-schedule for the Board once a year; but intermediate revisions are made in addition, and it is their duty to make themselves acquainted, so far as possible, with new comers into their districts. They are in daily contact with the people, and have a very considerable knowledge of the parents of the school children, especially of the poorest; amongst them, and of the conditions under which they live. No one can go, as I have done, over the description of the inhabitants of street after street in this huge district, taken house by house and family by family—full as it is of picturesque details noted down from the lips of the visitor, to whose mind they have been recalled by the open pages of his own schedules—and doubt the general character of the information and its truth."—(Introduction to "Life and Labour of the People," by Charles Booth, Vol. I., pages 4 and 5.)



England and Wales show that in 1901 practically the whole of the child population for whom elementary school provision should be made had their names inscribed on the school rolls, and that whilst within the period the population has increased by 36 per cent, there are now three times as many children on the books, and the average attendance is nearly four times as many. The problem now before the local authorities is the improvement of regularity of attendance. Lord Cross's Commission pointed out that, apart from compulsion, to which the great increase of numbers is largely attributed, two other causes have tended to improve the attendance, one the value which parents who have themselves been educated attach to the discipline and education to be gained by the punctual attendance of their children, the other the improvement in the homes and increase in the comforts of the working classes, who have thus become more sensible of the ill-consequences of ignorance. It is somewhat singular that the commission did not refer to another great factor, namely, the improvement in the condition of the schools, and the attractions they hold out to their scholars. This is well illustrated by what is happily a common occurrence, when a new board school takes the place of temporary accommodation, a marked increase in the attendance being brought about by the improvement in the school accommodation.

Higher standards of exemption from school attendance and greater regularity are to be found in the urban districts. In many rural districts there is considerable apathy in the enforcement of the law. The valuable report issued by the *Manchester Guardian* of an inquiry into the state of rural education also shows that in many districts it very much lags behind the standard of education to be found in great towns. A natural outcome of the carrying out of compulsion has been that increased attention is paid to the rescue of criminal and neglected children. Prior to 1870 the operations under the Industrial Schools Act, so far as the committals of children were concerned, were largely due to the police, who had not that intimate knowledge of the inner life of the poorer and more congested districts of our great towns now possessed by the School Boards. The active day-by-day inquiries of the school attendance officers brought to light a considerable number of cases where the children were the victims of the vice of dissolute parents or of criminal surroundings, and for whom no hope of salvation was to be found excepting in the industrial schools. The great school boards have actively carried out the provisions of the Industrial Schools Act. They have generously assisted voluntary effort for the erection of new schools, and given the annual grants necessary to supplement parliamentary aid. In cases where it has been necessary the boards have founded and managed schools of their own. More than this, the

boards have maintained a careful inspection of the industrial schools with which they have become associated by agreement with the managers, and their watchful care has been extended to the satisfactory lodging and employment of the children at the end of the period of detention. The last report of the Government Inspector of Reformatory and Industrial Schools for Great Britain shows that whilst in 1869 there were 95 schools and 7,345 children under detention, there were 178 (including 14 truant schools and 22 day industrial schools) in 1898, with a total of 23,425 children, maintained at a cost of £431,000 per annum, of which the receipts from school boards and rates amounted to £120,000. The day industrial schools, of which at the present time there are 22, educating 3,288 boys and girls, have mainly been provided by the school boards.\* They are the outcome of Lord Sandon's Act of 1876. To them the magistrates commit children up to the age of 14 who are incorrigible as to school attendance, or who have committed other offences against the law. The children are educated and fed, but not lodged or clothed,† and they sleep at their own homes.

Where desirable these children, after a period of detention, are licensed out to attend ordinary elementary schools. A salutary check is administered to truancy, and great assistance is afforded to poor widows who may have in their families an unruly boy or girl, whose love of street life and vagrancy they may be unable to counteract. Negligent parents have a wholesome awe of the Day Industrial School, partly owing to the enforced contributions, and partly because they naturally dislike, in their deficient domestic arrangements, the increased interference of the Industrial Schools officers. The Day Industrial School steps in and prevents ultimate committal to Industrial Schools and Reformatories, and acts as a powerful deterrent to the mischief which ensues when neglected children live upon the streets.

The results of industrial school training are very striking in both their physical and moral aspects. Sound instruction embracing the teaching of habits of honest industry, and physical training, rescue the children from lives of crime and misery, and on leaving school they are absorbed in honest employment frequently in occupations for which they have been trained. The last official return shows that of the number of boys discharged during the past three years more than four-fifths were in regular employment, that only 6 per cent were convicted or re-committed, and of only 5 per cent nothing was known. The returns in the cases of the

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\* Of those provided by private philanthropy the Kirkdale Day Industrial School deserves special mention.

† Although the Boards have no right to provide clothing at the cost of the rates, assistance is frequently given to deserving cases by means of voluntary contributions.

girls are still more satisfactory, a like high percentage of regular employment is recorded, whilst only one per cent represents the number who have lapsed into crime. These returns relate to 10,400 boys, and more than 2,600 girls.\*

The schools are divided into two classes, Protestant and Roman Catholic. The labours of the voluntary managers and of the teachers and instructors merit the highest recognition for the public service they perform.

The past 30 years have seen the provision of a school place for every child in England and Wales. The displacement of the population, and the increase of the industrial districts lead, however, to the constant provision of new schools to meet the needs of changed conditions. The school provision in 1870 in Government inspected schools was for 1,878,584 children, or 9·19 per cent of the entire population. Since then the school accommodation has increased to 6,610,416 places, and the present percentage of the population is 20·27, or more than one-fifth.†

The following is a classification of the public elementary school accommodation of England and Wales:—

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\* Mr. Legge, the Government Inspector, refers to the large number of boys who have joined the army. Of the 1,620 who enlisted in 1895-97 over 400 entered regimental bands. Mr. Legge says: "There cannot be the slightest doubt that this means of disposal is to be commended. These boys are the stuff out of which good soldiers are made; they are full of courage, reckless even to a fault, and the open-air life and steady discipline are just what suits them. On enlistment they are saved from the temptation of returning to the surroundings which proved their bane in childhood. Finally there is a fitness in boys who owe much of their education to the State, repaying their debt in service to the State. It has been my privilege in 1898 to read some 200 letters from old boys who have served in the recent military operations on the Indian frontier, in Crete, and in the Soudan. These letters breathe a fine spirit; the relaxations of the life—ing-songs, inter-regimental contests at cricket and football and so on—are described with zest; and the fierce delight of battle, when the time comes, cannot be repressed. Perhaps the most thrilling incident was the meeting of one old Fechney boy with another in the mêlée at Athara. After all was over they beat up their old school-fellows in the Cameron and Seaforth Highlanders, and spent the evening in singing their old school songs."

† The report of the Committee of Council on Education for 1882-3 states that six-sevenths of the population between 3 and 13 years of age, or one-fifth of the whole population, are of the class whose children ought to attend public elementary schools. After making due allowance for absence on account of sickness, weather, distance from school, and other reasonable excuses for irregular attendance, it is generally calculated that school seats should be provided for one-sixth of the whole population, and these seats are to be daily occupied. In controversies which arise as to the number of children requiring provision, the amount of accommodation is sometimes compared with the *average attendance*. School seats should be supplied for the *whole of the children*. In the case of infants particularly the average attendance cannot be set against the accommodation provided for them. An infants' school with a full average attendance for a whole year must at times be greatly overcrowded. In such a case the school will at different periods have an attendance fully 30 per cent in excess of the accommodation.

|                        | 1870.            | 1901.            |
|------------------------|------------------|------------------|
| Board Schools .....    | —                | 2,881,155        |
| Voluntary Schools :    |                  |                  |
| Church of England..... | 1,365,080        | 2,811,956        |
| Wesleyan.....*         | —                | 184,578          |
| Roman Catholic .....   | 101,556          | 400,546          |
| British, &c. ....      | 411,948          | 332,181          |
|                        | <u>1,878,584</u> | <u>3,729,261</u> |
|                        | <u>1,878,584</u> | <u>6,610,416</u> |

Prior to 1870 it was to the religious bodies that the country was indebted for the provision of popular education. We have already traced the rise of the great school societies, and the origin of the voluntary schools carried on by the Church of England, the Nonconformists, and the Roman Catholic Church. Not only in the promotion of day school education is the country indebted to these bodies, but also for the establishment of colleges for elementary teachers.

Matthew Arnold, in his review of education during the present reign, says that Forster was deeply sensible of the labours and sacrifices of the clergy for popular education, and that if there is a class in English society whose record in regard to popular education is honourable it is the clergy of the Established Church. A like tribute of recognition is due to the Roman Catholic and Nonconformist bodies. The tables of school attendance and accommodation illustrate the progress which the denominational schools alike with the board schools have made since 1870. In the reports of inquiries by experienced Inspectors, Royal Commissions, and in the speeches of public men, which heralded the introduction of the first Elementary Education Act, it was freely admitted that, notwithstanding all that voluntary effort had been able to accomplish, great deficiencies of school provision existed. Private adventure schools were to be found in great numbers, not only in the towns but in the rural districts. Dr. Hodgson, one of the assistant commissioners appointed to inquire into the existing condition of schools in 1859 said : "None are too old, too poor, too ignorant, too feeble, too sickly, too unqualified, in any or every way to be regarded by others as unfit for school keeping. Nay, there are few, if any, occupations regarded as incompatible with school keeping, if not as simultaneous, at least as preparatory employments. Domestic servants out of place, discharged barmaids, vendors of toys or lollipops, keepers of small eating-houses, of mangles or small lodging-houses, needlewomen who take in plain or slop work, milliners, consumptive patients in an advanced state, cripples almost bed-ridden, persons of doubtful temperance, out-door paupers, men and women of 70 and even 80 years of age, persons who spell badly (mostly women, I grieve

\* Included under head British, &c.



to say), who can scarcely write, and who cannot cipher at all. . . . Such are some of the teachers not in remote rural districts, but in the heart of London, the capital of the world, as it is said to be, whose schools go to make up two-thirds of English schools, and whose pupils swell the muster roll that some statistical philanthropists rejoice to contemplate."

The accommodation of these schools was wretched in the extreme. The children were crowded together in bedrooms and in miserable kitchens. Many of the rooms were overcrowded, and the vitiated air and want of the most elementary sanitary arrangements told their own tale on the health and morality of the children who suffered. The streets of our great towns had their full complement of neglected children.

To provide suitable school accommodation was one of the first duties the school boards had to encounter, and probably in the history of local government there has been nothing more striking than the zeal with which the work was undertaken. At the present day we see the result. The great towns are now supplied in the main with admirable school buildings. A recent writer, speaking of this, says: "Nowhere more than in the East of London does the work done by the 'extravagance' of the school board stand justified. It was necessary to strike the eye and hold the imagination; it was worth much to carry high the flag of education, and this is what has been done. Each school stands up from its playground like a church in God's acre ringing its bell. It may be that another policy should now be followed, that the turn of economy has come; but I am glad that no niggardly spirit interfered at the outset. We have full value for all that has been spent. The effect of the tall school buildings, with their characteristic architecture, is heightened by the low-browed houses amongst which they are reared. Such situations have been deliberately chosen, and the clearance for the schoolhouse has been made very often in the midst of the worst class of property."\*

Speaking of the district of Battersea, Mr. Graham Balfour says:—"Some of the courts have long been notorious in the neighbourhood—one, for instance, is popularly known as 'Little Hell,' and these have certainly improved with the advent of board schools and increased police. In the infernal court in question a school board visitor tells me, in 1871, when the Education Act first came into force, there were 108 children, only seven of whom were attending school, and of these seven, four were the children of the only teetotaller in the place."

The school boards have vied with each other in the provision of buildings of a character which has, during the period of their administration, shown from year to year a marked improvement in construction and arrangement, and it may be safely contended

\* Booth's "Life and Labour of the People," Vol. I., pp. 129—130.

that the great majority of modern board schools are triumphs of skilful planning and equipment. Such schools—healthy, well-lighted buildings, with the latest sanitary arrangements—with their central halls, classrooms, and special accommodation for instruction in manual work of various kinds, with their lecture-rooms and laboratories for science and their well-equipped accommodation for art instruction—are a provision of which the ratepayers may well be proud, and which in their entirety compare favourably with the schools of other nations, who, long before this country seriously put its hand to the work of providing school accommodation for the people, had, by their own State provision of such buildings, shown their belief in the necessity of adequately meeting educational requirements.

We have but to contrast our new schools with those of a past generation to see the striking difference. Even in the days when the Education Department gave building grants it was seriously stated that a barn was a good architectural pattern for an elementary school. The improvement in the board schools has also had its effect upon school architecture generally, and many voluntary schools have been erected of the modern type. In school provision nothing has been more beneficial than the changed opinions relative to playground space. In most of the leading provincial towns it is no uncommon thing to provide a couple of acres for a school site. A liberal provision of playground is one of the greatest benefits the school can possess, and it is satisfactory to note the increased attention that is being paid in this direction to the welfare of the children of the nation.

Since 1870 we have witnessed a well-maintained progress in the methods of instruction, and in the subjects taught in public elementary schools. Although the school life of a child is still far too short, the general trend of legislation and of the local by-laws governing school attendance has been happily in the direction of prolongation. The code of the Education Department has from time to time enlarged the sphere of school work, and the usefulness of the primary schools has been extended. A few instances of the extension of education may here well receive attention. Class subjects were introduced in the code of 1875, covering such subjects as grammar, history, elementary geography, and plain needlework, and by the code of 1880 the choice of managers was no longer confined to these four subjects, but was extended to any others which can be reasonably accepted as special branches of elementary instruction and properly treated in reading books, graded so as to suit the capacity of children of various ages. Thus gradually were introduced such subjects as natural history, domestic economy, and elementary science. Object lessons received encouragement. The infant schools made great strides in the adoption of the kindergarten methods, and greater attention was paid to the teaching of domestic economy to

girls. Specific subjects were encouraged by the code of 1871, by special grants, and instruction is now given in many of the best schools to children in higher standards, in languages, mathematics, elementary science, commercial subjects, manual and applied drawing. This list is by no means an exhaustive one, and may be considerably extended with the approval of the inspector.

The teaching of singing by note is now rather the rule than the exception. Drawing has been made a compulsory subject for boys, and among the most satisfactory of the advances has been the establishment of centres for manual instruction in wood and metal work for boys, and for instruction in cookery, laundry work, and housewifery for girls.

Physical exercises now find their place in every well-arranged time-table.

It will be seen from this brief summary that the past 32 years have witnessed a great upheaval in the domain of primary education.

My review of educational progress would be very incomplete without some reference to the establishment of higher grade schools, which had their origin in the great manufacturing towns. These have been well described as the crown of the elementary school system, but they are even more than this: they are the direct avenues to technical and university education. Organised in the main, in the upper sections, as schools of science, they are true continuation schools for children up to the age of 15 or 16. They have achieved marvellous success. By means of scholarships boys and girls have proceeded from them to the highest seats of learning, and in recent years no branch of our educational system has done more to perfect that ideal ladder of education, of which so much has been written, or to carry out that generous thought which was manifestly in the mind of Huxley, when he said: "I weigh my words when I say that if the nation could purchase a potential Davy, or Watt, or Faraday, at the cost of a hundred thousand pounds down, he would be dirt-cheap at the money."

The Royal Commission on Education, which reported in 1888, recommended the re-organisation of the evening schools, and the spending of more money on the part of the State for the encouragement of an extension of the curriculum of day school education. The Education Code (1890) Act authorised the payment of grants for secondary education in the evening schools. Mr. Acland's code of 1893 placed the night schools on an entirely different plane from the one they had hitherto occupied. There has since been a great advance both in the attendance and the range of instruction, and the desires of the Department have been carried into effect with marked success. In his evidence before the Royal Commission on Secondary Education, Sir George Kekewich said: "These evening schools are, and I suppose they always will be,

the secondary schools for the mass of the people. The secondary day schools established under any future Bill will be only for the few, not for the many."

The following figures, relating to average attendance and grants in evening continuation schools, are taken from the Board of Education return of the statistics of inspected schools, 1901.

|                                   | Number<br>of scholars. | Grants<br>paid. |
|-----------------------------------|------------------------|-----------------|
| School Board Evening Schools..... | 367,060 .....          | £131,703        |
| Other Evening Schools.....        | 179,345 .....          | £76,767         |
| Totals.....                       | 546,405 .....          | £208,470        |

The Report of the Royal Commission on Technical Instruction led to the passing of the Technical Instruction Act, 1889, and the grant from the local taxation funds in 1890 gave a fillip to the work of the municipal authorities and county councils having the control of technical education. A great work is now being carried on in many districts in the application of the principles of science and art to trade and manufactures.

There is probably no finer body of teachers in the world than is to be found in our primary and higher grade schools, and nothing can give greater satisfaction to the careful student of the history of education in this country than the abundant proof which exists of the great change for the better which has come about in the position of those who follow the profession of teaching. The elementary teachers of this country have done a great deal for themselves, and the school boards have not been lax in their efforts to improve the educational facilities of their teachers. A great deal has been done to remove the reproach of overworking pupil teachers who, in the stress of examinations, too clearly exhibited the inefficiency of the instruction they had received.

The pupil teachers' centres of the great towns have revolutionised the early training of these young people. The success of the candidates coming from these centres is clearly demonstrated year by year at the King's Scholarship Examinations, and owing to this success the fortunate pupil teachers from the centres obtain admission to the best of the training colleges, and in increasing numbers, year by year, a considerable number distinguish themselves at the universities. Thus the whole system of education is lifted to a higher state of efficiency by the entrance into the schools of a number of teachers who have profited by the benefits of a liberal training, quite unknown to their predecessors of less than a generation ago.

The work of no local authority is of a more diversified character than that which has fallen to the lot of the school board—all of it happily is of a beneficent nature, and appealing to the sympathies



of the best side of humanity. The methods by which the general powers of the boards have been carried out have already been dealt with, but if there are special functions which these local authorities have been called upon to exercise which appeal more particularly to us than others, they are those relating to the neglected, and more especially to the children who are sufferers from physical deficiencies. Of the children who are rescued from the neglect and cruelty of those who should be their natural guardians, and who, many of them, have the sharpest wits and excellent natural endowments, we have already dealt in our references to industrial school work—and we would now briefly refer to the blind, the deaf, the feeble-minded, and the poor little ones who bear the burden of crippled bodies.

In 1894 it became the duty of the school boards and school attendance committees to deal with the blind and the deaf. With very similar powers to those contained in the Industrial Schools Acts, the local authorities are required by law to provide for the education of children up to 16 years of age, who are deprived of their eyesight or sense of hearing and consequent power of speech.

Either by arrangement with existing schools, or by the provision of schools of their own, the local authorities quickly secured the admission into school of all such children. In some towns the need has been met by day classes, but generally the residential school is preferred, and here all that scientific treatment can effect is done for the inmates, and most careful supervision is exercised. The work has entailed considerable expense on the localities, the grants from Government being small, the parents of many of the children being too poor to pay very much towards the cost of a specialised form of education, which from its very character, is only carried on at considerable cost. Thus another reproach has been removed, and the country has made itself responsible for a class which hitherto had to rely entirely on local charity, and the School Boards have done this work well, in some cases, as at Leeds, erecting special schools for the blind and deaf.

The year 1900 will be memorable in the annals of education, for it saw the launching of several new Acts of Parliament dealing with various departments of the work as affecting half-timers, the educational care of the mentally and physically deficient, and the inauguration of the new Central Board of Education. The second of these measures is permissive—but seeing that a number of the School Boards have already, without legislation, taken in hand many of the afflicted children, for whose benefit Parliament has shown some concern, it is not likely that local authorities will fall short of their high sense of duty, at all events in the great towns. In rural districts, owing to expense and want of organisation it may be unfortunately otherwise. London has led the way in the education of the mentally deficient, and the Board have already more than 30 schools, where special classes are held

with most encouraging success.\* The example of London has been followed by a number of provincial school boards, and no doubt others will now speedily take up the work and alleviate the sufferings and shortcomings of those who cannot keep up with the work of the ordinary day school. Full powers to build schools and instruct and board the children (where boarding is desirable) can be exercised, and much good will ensue. In another place I have so fully gone into the whole question of the treatment of the feeble-minded that it is not necessary here to repeat the information. The Act gives power to deal with cripples and epileptic children, and here will be work which will tax the best energies of the school boards. Epilepsy has hitherto not received the attention it calls for, and the operations of the boards will be watched with the keenest interest. There are some unnecessary restrictions in the Act, to which public attention has been drawn. These, however, concern details of management, and will, no doubt, be speedily remedied. The most will be made of the legislation which has been so anxiously sought for.

The care now being paid to the suffering classes referred to will no doubt lead to the furthering of their interests in later life—a domain of philanthropy in which voluntary agencies may do so much to perfect, as far as human agency can, the good work already begun by the school boards.

Public attention has recently been drawn to the providing of free meals for destitute children attending the board schools. For years many of the school boards have shown their sympathy, in some cases giving dinners every winter in their schools, safeguarding the charity by careful enquiry conducted by the school board officers as to the genuine character of the need in each case. Helped by the teachers, these school boards have given free dinners and defrayed the expense by collecting subscriptions.

The school banks are a feature of many board schools; in others thrift is encouraged by opportunities being given for the children to become depositors of money in the Post Office Savings Bank. School lending libraries are, where necessary, established. The free use of corporation baths, instruction in swimming, and organ-

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\* It was largely owing to the practical interest taken by Mrs. Burgwin, when Head Mistress of the Orange Street Board School, that the London School Board took up the cause of these afflicted little ones. Mrs. Burgwin, by her methods and the untiring interest she took in the welfare and instruction of the poor little mites who came to her school, was the immediate cause of interest being aroused, and she is now the superintendent of this department of education in London. She served on the Departmental Committee, whose inquiries brought about legislation; and, by her sympathy and readiness to help forward special classes, has made many School Boards her debtors for the practical advice and assistance she is ever ready to give. Knowing how much the cause of the mentally deficient child owes to Mrs. Burgwin, we have ventured to make this public acknowledgment of her great services.

ised school sports, helped forward by the teachers, all tend in the direction of widening and improving the life of our elementary schools.

In all these matters the school boards have displayed a rare adaptability and aptitude to serve in every way possible the interests of the children.

I have endeavoured to present some of the features of the progress of popular education during the present century, from the times of Lancaster and Bell, and the commencement of the operations of the great religious societies with which their systems are associated; to trace the causes which led to the passing of the Elementary Education Act, 1870, and thence forward to give some account of the rise and progress of that new form of educational administration which had its commencement with the advent of the school boards. The task I have set for myself may have been inadequately performed—indeed, it would be well-nigh impossible within the compass of an article like this to present an account which could be deemed complete; the blame must, however, be laid to my own shortcomings, and not to lack of interest in the subject of that great movement which has done so much already to alter the character of our national life.

The Queen occupied the throne for nearly two-thirds of a century. Her reign was a glorious one; blessed in the realisation of her early aspiration that for the work of education her reign should be remembered, and the fulfilment of her desire that the reproach of the want of instruction should be removed. Special reference was made to this in the letter written by her command to Lord Lansdowne, the President of the Council, and laid upon the table of the House of Commons by the Prime Minister on the 13th of February, 1839. Her Majesty's letter states that "all the inquiries which have been made show a deficiency in the general education of the people which is not in accordance with the character of a civilised and Christian nation." The letter concludes as follows:—"It is her Majesty's wish that the youth of this kingdom should be religiously brought up, and that the rights of conscience should be respected." Seldom have wiser words been written by a Sovereign, and the marvellous way in which the desire expressed sixty years ago by the young Queen was realised was not by any means the least of the blessings of her glorious reign.

It may be said of education, as was so well said of the great architect of St. Paul's Cathedral, that for the truest monument you have only need to look around. The whole condition of the people of this country has during the last generation undergone a change for the better which it is difficult to realise, because the transition has been so gradual. Popular disorder in anything like an organised form is now a thing of the past. The great change which has come over the London street crowds was a

matter of remark by more than one French journalist who witnessed the state of the streets when London in her millions turned out to greet the Queen on her Jubilee. Trade disputes are now conducted on the part of the representatives of the workmen with an ability not excelled by that at the command of the capitalist, and the experiences of recent strikes and lockouts make it difficult for men of middle age to realise the fact that, within their remembrance, occurred the outrages which are associated with such a criminal as Broadhead. Conferences of trade unions and co-operative societies compare favourably with those of any other assemblies, even the most learned. There has arisen a greater respect for life, and a greater dislike for all kinds of violence, and nowhere is this more evident than in the care and treatment of the young. The children in attendance at public elementary schools compare most favourably with those of a former generation. They are better clothed, better fed, and better mannered, and if we look at the darker side of life, and contrast the criminal statistics of to-day with those of 30 years ago, the change is still more marvellous. The number of prisoners in our convict establishments exhibits a great diminution. The judicial statistics show that in 1869, 8,956 boys and 1,358 girls, or a total of 10,314 under 16 years of age, were committed to prison. In 1897, the numbers were: 1,598 boys, 90 girls; total, 1,688. The number of adult offenders over 16 years of age gradually rose in England and Wales in 1882 to 175,360. In 1897 the number was 147,374, although the population in the meantime had increased by 19 per cent.

A recent writer on popular culture states that out of 164,000 persons in prison, between the years 1880-90, 60,000 were entirely uneducated. He goes on to say—"Nor is it less suggestive that since the teaching of the people was seriously taken in hand by the State, in 1870, no new prison has been built, while several buildings which were prisons have been changed into public libraries, or, as in the case of Millbank, have been converted into fine art galleries."\* He might have given a still more striking example—that on the site of the Clerkenwell House of Correction, the scene of the Fenian outrage, there now stands the magnificent Hugh Myddelton Board School.

The general spread of education has benefited all alike. Boys and girls with brains have now placed before them the finest opportunities of reaching the highest seats of learning, and poverty is no longer a bar to genius. A great deal may be proved by statistics, but in estimating the true value to the nation of a sound system of popular education, even more may be gathered from the observations of those who are able to recognise the vast improvement in the morals and lives of the people. Such testimony

\* Escott's "Social Transformations of the Victorian Age."



abounds on every side. Mr. Michael E. Sadler, in the article bearing upon the progress of education which appears in the first volume issued by the Special Inquiry Department of the Education Office, says :

"It is hardly too much to say that the years which have elapsed since the passing of Forster's Act have witnessed, especially in the towns, the growth of a new public sentiment in favour of education. Noble, indeed, were the sacrifices which were made by religious denominations, by societies, and by individual benefactors for popular education in England before that date. Those efforts laid the foundation necessary to all later success. But they were hampered by the apathy of the masses of the people, for no system of national education can become or remain effective without popular sympathy and interest. Since 1870, however, the attitude of the nation, as a whole, towards elementary education has undergone a surprising change. The value of a good school has become more widely appreciated, and parents evince an increasing desire to secure the benefits of efficient teaching for their children. This change in public opinion has made possible much which the zeal of educational reformers, the goodwill of local authorities, the liberality of subscribers, and the experience and devotion of the teachers would otherwise have been powerless to effect. It has permitted great expenditure in order that, within the lifetime of a single generation, dangerous deficiencies might be removed. It has allowed gradual improvements to be made in the equipment of the schools and in the conditions of attendance. It has created, in a great number of places, the atmosphere of sympathy and encouragement which is necessary to the welfare of schools, and the change may be traced to a growing belief in the value and necessity of education, which cannot fail to increase the number of persons competent to take part in the local administration of educational affairs, and thus to form the best guarantee for wise advance, intelligent criticism, and prudent expenditure in the future."

Much of this is due, undoubtedly, to the public devotion of the members of the school boards. These authorities have attracted to their service some of the best men and women of the age. Whilst it would be invidious to mention those who are alive, there can be no harm in recognising the labours of some of those who are no longer with us. The first London School Board had for its Chairman Lord Lawrence, who, after years of toil and brilliant achievement in India, where he rose to be Viceroy, gave his time and strength, until incapacitated by failing health, to the organisation of the business dealing with the education of the vast metropolis. The name of Mr. Christopher Bushell, the first Chairman of the Liverpool School Board, holds a high place in the memories of those who were associated with him in the work of the early days of the administration of that

great board. For more than 20 years Mr. Herbert Birley, who spent a fortune in the maintenance of voluntary schools, and who gave to the same cause the priceless benefit of his own personal supervision and ripe experience, was a member of both the Manchester and Salford School Boards, acting as chairman of the first for seventeen years, and of the second for the whole period until his death, never tiring in his devotion to the work. Of others Sir John Brown, of Sheffield, the Rev. Canon Jackson, of Leeds (the friend of Forster), Mr. James Hanson, of Bradford, Sir Charles Reed, of London, Professor Huxley, the Right Hon. W. H. Smith, and many more have laid the country under a great debt of gratitude for their long and faithful services in school board administration. Of the women who have given like service we would not forget among those who have gone—Miss Sturge, of Bristol; Miss Lydia Becker, for 20 years a worker on the Manchester School Board; Miss A. J. Davies, of the Liverpool School Board, and many others whose names will occur to our readers. Last, but not least, we would refer to a few of the men who have been closely identified with the central administration. Of the Vice-presidents of the Council we would single out the names of Mr. Forster and Mr. Mundella, men whose works live after them. The inspectorate has been adorned by such men as the late Archbishop of Canterbury, Mr. Matthew Arnold, the Rev. W. H. Brookfield (the friend of Thackeray), the Rev. W. J. Kennedy (the brother of the great master of Shrewsbury School), and Mr. J. D. Morell. Of the permanent secretaries mention must be made of the names of Sir James Kay-Shuttleworth (the first to hold the office, and to a certain extent the author of the present system of grant administration), Lord Sandford (who was secretary at the time of the passing of the Act of 1870), and his successor Mr. Patrick Cumin. No department of the State has been better served, and the great traditions of Whitehall are well maintained by the present high officials and the inspectors of schools. At the same time there has undoubtedly come about a change in the attitude of the central office, a greater sympathy is now evinced with the work of the local authorities, and what the central authority may have given up of strictly departmental routine has been of immeasurable benefit to education.

The Education Act of 1902 has been passed, and school boards are about to pass into oblivion, and it can now be safely claimed for them that their history has been untarnished. Other and more powerful local authorities are about to enter into the labours of the school boards, and it is the earnest hope of all who have hitherto locally administered the Education Acts that education in this country may increase both in extent and in true efficiency.



## PART III.

# THE EDUCATION ACTS AND ACTS OF PARLIAMENT BEARING UPON EDUCATION, WITH GOVERNMENT REGULATIONS.

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## THE EDUCATION ACT, 1902.

(2 EDWARD VII. C. 42.)

*An Act to make further provision with respect to Education in England and Wales.—(18th December, 1902.)*

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

### PART I.—LOCAL EDUCATION AUTHORITY.

#### *Local Education Authorities.*

1. For the purposes of this Act the council of every county and of every county borough shall be the local education authority : Provided that the council of a borough with a population of over ten thousand or of an urban district with a population of over twenty thousand shall, as respects that borough or district, be the local education authority for the purpose of Part III. of this Act, and for that purpose as respects that borough or district the expression "local education authority" means the council of that borough or district.

**Local Education Authority**, page 157.

### PART II.—HIGHER EDUCATION

#### *Power to Aid Higher Education.*

2. (1) The local education authority shall consider the educational needs of their area and take such steps as seem to them desirable, after consultation with the Board of Education, to supply or aid the supply of education other than elementary, and to promote the general co-ordination of all forms of education, and for that purpose shall apply all or so much as they deem necessary of the residue under section 1 of the Local Taxation (Customs and Excise) Act, 1890, and shall carry forward for the like purpose any balance thereof which may remain unexpended, and may spend such further sums as they think fit : Provided that the amount raised by the council of a county for the purpose in any year out of rates under this Act shall not exceed the amount which would be produced by a rate of twopence in the pound, or such higher rate as the county council with the consent of the Local Government Board may fix.

(2) A council in exercising their powers under this Part of this Act shall have regard to any existing supply of efficient schools or colleges, and to any steps already taken for the purposes of higher education under the Technical Instruction Acts, 1889 and 1891.

*Concurrent Powers of Smaller Boroughs and Urban Districts.*

3. The council of any non-county borough or urban district shall have power as well as the county council to spend such sums as they think fit for the purpose of supplying or aiding the supply of education other than elementary: Provided that the amount raised by the council of a non-county borough or urban district for the purpose in any year out of rates under this Act shall not exceed the amount which would be produced by a rate of one penny in the pound.

**Higher Education**, page 117.

*Religious Instruction.*

4. (1) A council, in the application of money under this Part of this Act, shall not require that any particular form of religious instruction or worship, or any religious catechism or formulary which is distinctive of any particular denomination, shall or shall not be taught, used, or practised in any school, college, or hostel aided, but not provided by the council, and no pupil shall, on the ground of religious belief, be excluded from or placed in an inferior position in any school, college, or hostel provided by the council, and no catechism or formulary distinctive of any particular religious denomination shall be taught in any school, college, or hostel so provided, except in cases where the council, at the request of parents of scholars, at such times and under such conditions as the council think desirable allow any religious instruction to be given in the school, college, or hostel, otherwise than at the cost of the council. Provided that in the exercise of this power no unfair preference shall be shown to any religious denomination.

(2) In a school or college receiving a grant from, or maintained by, a council under this Part of this Act—

(a) A scholar attending as a day or evening scholar shall not be required, as a condition of being admitted into or remaining in the school or college, to attend or abstain from attending any Sunday school, place of religious worship, religious observance, or instruction in religious subjects in the school or college or elsewhere; and

(b) The times for religious worship, or for any lesson on a religious subject, shall be conveniently arranged for the purpose of allowing the withdrawal of any such scholar therefrom.

**Religious Instruction**, page 221.

## PART III.—ELEMENTARY EDUCATION.

*Powers and Duties as to Elementary Education.*

5. The local education authority shall throughout their area have the powers and duties of a school board and school attendance committee under the Elementary Education Acts, 1870 to 1900, and any other Acts, including local Acts, and shall also be responsible for and have the control of all secular instruction in public elementary schools not provided by them, and school boards and school attendance committees shall be abolished.

**Local Education Authorities**, page 157.

**Secular Instruction**, page 252.

*Management of Schools.*

6. (1) All public elementary schools provided by the local education authority shall, where the local education authority are the council of a county, have a body of managers consisting of a number of managers not exceeding four appointed by that council, together with a number not exceeding two appointed by the minor local authority.

Where the local education authority are the council of a borough or urban district they may, if they think fit, appoint for any school provided by them a body of managers consisting of such number of managers as they may determine.

(2) All public elementary schools not provided by the local education authority shall, in place of the existing managers, have a body of managers consisting of a number of foundation managers not exceeding four appointed as provided by this Act, together with a number of managers not exceeding two appointed—

(a) Where the local education authority are the council of a county, one by that council and one by the minor local authority; and

(b) Where the local education authority are the council of a borough or urban district, both by that authority.

(3) Notwithstanding anything in this section—

(a) Schools may be grouped under one body of managers in manner provided by this Act; and

(b) Where the local education authority consider that the circumstances of any school require a larger body of managers than that provided under this section, that authority may increase the total number of managers, so, however, that the number of each class of managers is proportionately increased.

**Management of Schools**, page 160.



*Maintenance of Schools.*

7. (1) The local education authority shall maintain and keep efficient all public elementary schools within their area which are necessary, and have the control of all expenditure required for that purpose other than expenditure for which, under this Act, provision is to be made by the managers, but in the case of a school not provided by them only so long as the following conditions and provisions are complied with—

(a) The managers of the school shall carry out any directions of the local education authority as to the secular instruction to be given in the school, including any directions with respect to the number and educational qualifications of the teachers to be employed for such instruction, and for the dismissal of any teacher on educational grounds; and if the managers fail to carry out any such direction the local education authority shall, in addition to their other powers, have the power themselves to carry out the direction in question as if they were the managers; but no direction given under this provision shall be such as to interfere with reasonable facilities for religious instruction during school hours.

(b) The local education authority shall have power to inspect the school.

(c) The consent of the local education authority shall be required to the appointment of teachers, but that consent shall not be withheld except on educational grounds, and the consent of the authority shall also be required to the dismissal of a teacher unless the dismissal be on grounds connected with the giving of religious instruction in the school.

(d) The managers of the school shall provide the schoolhouse free of any charge, except for the teachers' dwelling-house, if any, to the local education authority for use as a public elementary school, and shall, out of funds provided by them, keep the schoolhouse in good repair, and make such alterations and improvements in the buildings as may be reasonably required by the local education authority: Provided that such damage as the local authority consider to be due to fair wear and tear in the use of any room in the schoolhouse for the purpose of a public elementary school shall be made good by the local education authority.

(e) The managers of the school shall, if the local education authority have no suitable accommodation in schools provided by them, allow that authority to use any room in the schoolhouse out of school hours free of charge for any educational purpose, but this obligation shall not extend to more than three days in the week.

(2) The managers of a school maintained but not provided by the local education authority, in respect of the use by them of the school furniture out of school hours, and the local education authority in respect of the use by them of any room in the schoolhouse out of school hours, shall be liable to make good any damage caused to the furniture or the room, as the case may be, by reason of that use (other than damage arising from fair wear and tear), and the managers shall take care that after the use of a room in the schoolhouse by them, the room is left in a proper condition for school purposes.

(3) If any question arises under this section between the local education authority and the managers of a school not provided by the authority, that question shall be determined by the Board of Education.

(4) One of the conditions required to be fulfilled by an elementary school in order to obtain a Parliamentary grant shall be that it is maintained under and complies with the provisions of this section.

(5) In public elementary schools maintained but not provided by the local education authority, assistant teachers and pupil teachers may be appointed, if it is thought fit, without reference to religious creed and denomination, and in any case in which there are more candidates for the post of pupil teacher than there are places to be filled the appointment shall be made by the local education authority, and they shall determine the respective qualifications of the candidates by examination or otherwise.

(6) Religious instruction given in a public elementary school not provided by the local education authority shall, as regards its character, be in accordance with the provisions (if any) of the trust deed relating thereto, and shall be under the control of the managers. Provided that nothing in this sub-section shall affect any provision in a trust deed for reference to the bishop or superior ecclesiastical or other denominational authority so far as such provision gives to the bishop or authority the power of deciding whether the character of the religious instruction is or is not in accordance with the provisions of the trust deed.

(7) The managers of a school maintained but not provided by the local education authority shall have all powers of management required for the purpose of carrying out this Act, and shall (subject to the powers of the local education authority under this section) have the exclusive power of appointing and dismissing teachers.

**Management of Schools, page 160.**

*Provision of New Schools.*

8. (1) Where the local education authority or any other persons propose to provide a new public elementary school, they

shall give public notice of their intention to do so, and the managers of any existing school, or the local education authority (where they are not themselves the persons proposing to provide the school), or any ten ratepayers in the area for which it is proposed to provide the school, may, within three months after the notice is given, appeal to the Board of Education on the ground that the proposed school is not required, or that a school provided by the local education authority, or not so provided, as the case may be, is better suited to meet the wants of the district than the school proposed to be provided, and any school built in contravention of the decision of the Board of Education on such appeal shall be treated as unnecessary.

(2) If, in the opinion of the Board of Education, any enlargement of a public elementary school is such as to amount to the provision of a new school, that enlargement shall be so treated for the purposes of this section.

(3) Any transfer of a public elementary school to or from a local education authority shall for the purposes of this section be treated as the provision of a new school.

**School Provision.** page 243. **Transfer of Schools,** page 289.

#### *Necessity of Schools.*

9. The Board of Education shall, without unnecessary delay, determine in case of dispute whether a school is necessary or not, and in so determining, and also in deciding on any appeal as to the provision of a new school, shall have regard to the interest of secular instruction, to the wishes of parents as to the education of their children, and to the economy of the rates; but a school for the time being recognised as a public elementary school shall not be considered unnecessary in which the number of scholars in average attendance as computed by the Board of Education is not less than thirty.

**Necessity of Schools,** page 182. **School Provision,** page 243.

#### *Aid Grant.*

10. (1) In lieu of the grants under the Voluntary Schools Act, 1897, and under section 97 of the Elementary Education Act, 1870, as amended by the Elementary Education Act, 1897, there shall be annually paid to every local education authority, out of moneys provided by Parliament—

(a) A sum equal to 4s. per scholar; and

(b) An additional sum of 1½d. per scholar for every complete 2d. per scholar by which the amount which would be produced by a penny rate on the area of the authority falls short of 10s. a scholar; provided that in estimating the produce of a penny rate in the area of a local education authority not being a county borough the rate shall be cal-

culated upon the county rate basis, which, in cases where part only of a parish is situated in the area of the local education authority, shall be apportioned in such manner as the Board of Education think just.

But if in any year the total amount of Parliamentary grants payable to a local education authority would make the amount payable out of other sources by that authority on account of their expenses under this Part of this Act less than the amount which would be produced by a rate of threepence in the pound, the Parliamentary grants shall be decreased, and the amount payable out of other sources shall be increased by a sum equal in each case to half the difference.

(2) For the purposes of this section the number of scholars shall be taken to be the number of scholars in average attendance, as computed by the Board of Education, in public elementary schools maintained by the authority.

**Aid Grant**, page 25.

#### *Foundation Managers.*

11. (1) The foundation managers of a school shall be managers appointed under the provisions of the trust deed of the school, but if it is shown to the satisfaction of the Board of Education that the provisions of the trust deed as to the appointment of managers are in any respect inconsistent with the provisions of this Act, or insufficient or inapplicable for the purpose, or that there is no such trust deed available, the Board of Education shall make an order under this section for the purpose of meeting the case.

(2) Any such order may be made on the application of the existing owners, trustees, or managers of the school, made within a period of three months after the passing of this Act, and after that period on the application of the local education authority or any other person interested in the management of the school, and any such order, where it modifies the trust deed, shall have effect as part of the trust deed, and where there is no trust deed shall have effect as if it were contained in a trust deed.

(3) Notice of any such application, together with a copy of the draft final order proposed to be made thereon, shall be given by the Board of Education to the local education authority and the existing owners, trustees, and managers, and any other persons who appear to the Board of Education to be interested, and the final order shall not be made until six weeks after notice has been so given.

(4) In making an order under this section with regard to any school the Board of Education shall have regard to the ownership of the school building, and to the principles on which the education given in the school has been conducted in the past.



(5) The Board of Education may, if they think that the circumstances of the case require it, make any interim order on any application under this section to have temporary effect until the final order is made.

(6) The body of managers appointed under this Act for a public elementary school not provided by the local education authority shall be the managers of that school both for the purposes of the Elementary Education Acts, 1870 to 1900, and this Act, and, so far as respects the management of the school as a public elementary school, for the purpose of the trust deed.

(7) Where the receipt by a school, or the trustees or managers of a school, of any endowment or other benefit, is, at the time of the passing of this Act, dependent on any qualification of the managers, the qualification of the foundation managers only shall, in case of question, be regarded.

(8) The Board of Education may, on the application of the managers of the school, the local education authority, or any person appearing to them to be interested in the school, revoke, vary, or amend any order made under this section by an order made in a similar manner; but before making any such order the draft thereof shall, as soon as may be, be laid before each House of Parliament, and if within thirty days, being days on which Parliament has sat, after the draft has been so laid before Parliament, either House resolves that the draft, or any part thereof, should not be proceeded with, no further proceedings shall be taken thereon, without prejudice to the making of any new draft order.

### **Management of Schools, page 160.**

#### *Grouping of Schools Under One Management.*

12. (1) The local education authority may group under one body of managers any public elementary schools provided by them, and may also, with the consent of the managers of the schools, group under one body of managers any such schools not so provided.

(2) The body of managers of grouped schools shall consist of such number and be appointed in such manner and proportion as, in the case of schools provided by the local education authority, may be determined by that authority, and in the case of schools not so provided may be agreed upon between the bodies of managers of the schools concerned and the local education authority, or in default of agreement may be determined by the Board of Education.

(3) Where the local education authority are the council of a county, they shall make provision for the due representation of minor local authorities on the bodies of managers of schools grouped under their direction.

(4) Any arrangement for grouping schools not provided by the local education authority shall, unless previously determined by consent of the parties concerned, remain in force for a period of three years.

**Management of Schools,** page 160.

### *Endowments.*

13. (1) Nothing in this Act shall affect any endowment, or the discretion of any trustees in respect thereof. Provided that, where under the trusts or other provisions affecting any endowment the income thereof must be applied in whole or in part for those purposes of a public elementary school for which provision is to be made by the local education authority, the whole of the income or the part thereof, as the case may be, shall be paid to that authority, and in case part only of such income must be so applied and there is no provision under the said trusts or provisions for determining the amount which represents that part, that amount shall be determined, in case of difference between the parties concerned, by the Board of Education, but if a public inquiry is demanded by the local education authority, the decision of the Board of Education shall not be given until after such an inquiry, of which 10 days' previous notice shall be given to the local education authority and to the minor local authority, and to the trustees, shall have been first held by the Board of Education at the cost of the local education authority.

(2) Any money arising from an endowment and paid to a county council for those purposes of a public elementary school for which provision is to be made by the council, shall be credited by the council in aid of the rate levied for the purposes of this part of this Act in the parish or parishes which in the opinion of the council are served by the school for the purposes of which the sum is paid, or if the council so direct shall be paid to the overseers of the parish or parishes in the proportions directed by the council, and applied by the overseers in aid of the poor rate levied in the parish.

**Endowments,** page 80.

### *Apportionment of School Fees.*

14. Where before the passing of this Act fees have been charged in any public elementary school not provided by the local education authority, that authority shall, while they continue to allow fees to be charged in respect of that school, pay such proportion of those fees as may be agreed upon, or, in default of agreement, determined by the Board of Education, to the managers.

**Fees,** page 101.

*Schools Attached to Institutions.*

15. The local education authority may maintain as a public elementary school under the provisions of this Act, but shall not be required so to maintain, any marine school, or any school which is part of, or is held in the premises of, any institution in which children are boarded, but their refusal to maintain such a school shall not render the school incapable of receiving a Parliamentary grant, nor shall the school, if not so maintained, be subject to the provisions of this Act as to the appointment of managers, or as to control by the local education authority.

**Institutions,** page 142.

*Power to Enforce Duties under Elementary Education Acts.*

16. If the local education authority fail to fulfil any of their duties under the Elementary Education Acts, 1870 to 1900, or this Act, or fail to provide such additional public school accommodation within the meaning of the Elementary Education Act, 1870, as is, in the opinion of the Board of Education, necessary in any part of their area, the Board of Education may, after holding a public inquiry, make such order as they think necessary or proper for the purpose of compelling the authority to fulfil their duty, and any such order may be enforced by mandamus.

**Local Education Authorities,** page 157. **Mandamus,** page 167.

## PART IV.—GENERAL.

*Education Committees.*

17. (1) Any council having powers under this Act shall establish an education committee or education committees constituted in accordance with a scheme made by the council and approved by the Board of Education. Provided that if a council having powers under Part II. only of this Act determine that an education committee is unnecessary in their case, it shall not be obligatory on them to establish such a committee.

(2) All matters relating to the exercise by the council of their powers under this Act, except the power of raising a rate or borrowing money, shall stand referred to the education committee, and the council, before exercising any such powers, shall, unless in their opinion the matter is urgent, receive and consider the report of the education committee with respect to the matter in question. The council may also delegate to the education committee, with or without any restrictions or conditions as they think fit, any of their powers under this Act, except the power of raising a rate or borrowing money.

(3) Every such scheme shall provide—

(a) For the appointment by the council of at least a majority of the committee, and the persons so appointed shall be persons who are members of the council, unless in the case of a county the council shall otherwise determine.

(b) For the appointment by the council, on the nomination or recommendation, where it appears desirable, of other bodies (including associations of voluntary schools), of persons of experience in education, and of persons acquainted with the needs of the various kinds of schools in the area for which the council acts.

(c) For the inclusion of women as well as men among the members of the committee.

(d) For the appointment, if desirable, of members of school boards existing at the time of the passing of this Act as members of the first committee.

(4) Any person shall be disqualified for being a member of an education committee who, by reason of holding an office or place of profit, or having any share or interest in a contract or employment, is disqualified for being a member of the council appointing the education committee. But no such disqualification shall apply to a person by reason only of his holding office in a school or college aided, provided, or maintained by the council.

(5) Any such scheme may, for all or any purposes of this Act, provide for the constitution of a separate education committee for any area within a county, or for a joint education committee for any area formed by a combination of counties, boroughs, or urban districts, or of parts thereof. In the case of any such joint committee it shall suffice that a majority of the members are appointed by the councils of any of the counties, boroughs, or districts out of which or parts of which the area is formed.

(6) Before approving a scheme the Board of Education shall take such measures as may appear expedient for the purpose of giving publicity to the provisions of the proposed scheme, and before approving any scheme which provides for the appointment of more than one education committee shall satisfy themselves that due regard is paid to the importance of the general co-ordination of all forms of education.

(7) If a scheme under this section has not been made by a council and approved by the Board of Education within twelve months after the passing of this Act, that board may, subject to the provisions of this Act, make a provisional order for the purposes for which a scheme might have been made.

(8) Any scheme for establishing an education committee of the council of any county or county borough in Wales or of the county of Monmouth or county borough of Newport shall provide



that the county governing body constituted under the Welsh Intermediate Education Act, 1889, for any such county or county borough shall cease to exist, and shall make such provision as appears necessary or expedient for the transfer of the powers, duties, property, and liabilities of any such body to the local education authority under this Act, and for making the provisions of this section applicable to the exercise by the local education authority of the powers so transferred.

**Education Committees,** page 74.

*Expenses.*

18. (1) The expenses of a council under this Act shall, so far as not otherwise provided for, be paid in the case of the council of a county out of the county fund, and in the case of the council of a borough out of the borough fund or rate, or, if no borough rate is levied, out of a separate rate to be made, assessed, and levied in like manner as the borough rate, and in the case of the council of an urban district other than a borough in manner provided by section 33 of the Elementary Education Act, 1876, as respects the expenses mentioned in that section. Provided that—

(a) The county council may, if they think fit (after giving reasonable notice to the overseers of the parish or parishes concerned), charge any expenses incurred by them under this Act with respect to education other than elementary on any parish or parishes which, in the opinion of the council, are served by the school or college in connection with which the expenses have been incurred; and

(b) The county council shall not raise any sum on account of their expenses under Part III. of this Act within any borough or urban district the council of which is the local education authority for the purposes of that part; and

(c) The county council shall charge such portion as they think fit, not being less than one-half or more than three-fourths, of any expenses incurred by them in respect of capital expenditure or rent on account of the provision or improvement of any public elementary school on the parish or parishes which, in the opinion of the council, are served by the school; and

(d) The county council shall raise such portion as they think fit, not being less than one-half or more than three-fourths, of any expenses incurred to meet the liabilities on account of loans or rent of any school board transferred to them exclusively within the area which formed the school district in respect of which the liability was incurred, so far as it is within their area.

(2) All receipts in respect of any school maintained by a local education authority, including any Parliamentary grant, but excluding sums specially applicable for purposes for which provision is to be made by the managers, shall be paid to that authority.

(3) Separate accounts shall be kept by the council of a borough of their receipts and expenditure under this Act, and those accounts shall be made up and audited in like manner, and subject to the same provisions as the accounts of a county council, and the enactments relating to the audit of those accounts, and to all matters incidental thereto and consequential thereon, including the penal provisions, shall apply in lieu of the provisions of the Municipal Corporations Act, 1882, relating to accounts and audit.

(4) Where under any local Act the expenses incurred in any borough for the purposes of the Elementary Education Acts, 1870 to 1900, are payable out of some fund or rate other than the borough fund or rate, the expenses of the council of that borough under this Act shall be payable out of that fund or rate instead of out of the borough fund or rate.

(5) Where any receipts or payments of money under this Act are entrusted by the local education authority to any education committee established under this Act, or to the managers of any public elementary school, the accounts of those receipts and payments shall be accounts of the local education authority, but the auditor of those accounts shall have the same powers with respect to managers as he would have if the managers were officers of the local education authority.

**Rates.** page 204.      **Accounts,** page 21.      **Audit,** page 33.

### *Borrowing.*

19. (1) A council may borrow for the purposes of the Elementary Education Acts, 1870 to 1900, or this Act, in the case of a county council as for the purposes of the Local Government Act, 1888, and in the case of the council of a county borough, borough, or urban district as for the purposes of the Public Health Acts, but the money borrowed by a county borough, borough, or urban district council shall be borrowed on the security of the fund or rate out of which the expenses of the council under this Act are payable.

(2) Money borrowed under this Act shall not be reckoned as part of a total debt of a county for the purposes of Section 69 of the Local Government Act, 1888, or as part of the debt of a county borough, borough, or urban district for the purpose of the limitation on borrowing under sub-sections (2) and (3) of Section 234 of the Public Health Act, 1875.

**Loans.** page 152.

*Arrangements between Councils.*

20. An authority having powers under this Act—

(a) May make arrangements with the council of an county, borough, district, or parish, whether a local education authority or not, for the exercise by the council, on such terms and subject to such conditions as may be agreed on, of any powers of the authority in respect of the management of any school or college within the area of the council; and

(b) If the authority is the council of a non-county borough or urban district, may, at any time after the passing of this Act, by agreement with the council of the county and with the approval of the Board of Education, relinquish in favour of the council of the county any of their powers and duties under this Act, and in that case the powers and duties of the authority so relinquished shall cease, and the area of the authority, if the powers and duties relinquished include powers as to elementary education, shall as respects those powers be part of the area of the county council.

**Arrangements between Councils.** page 28.

*Provisional Orders and Schemes.*

21. (1) Sections 297 and 298 of the Public Health Act, 1875 (which relate to provisional orders), shall apply to any provisional order made under this Act as if it were made under that Act, but references to a local authority shall be construed as references to the authority to whom the order relates, and references to the Local Government Board shall be construed as references to the Board of Education.

(2) Any scheme or provisional order under this Act may contain such incidental or consequential provisions as may appear necessary or expedient.

(3) A scheme under this Act, when approved, shall have effect as if enacted in this Act, and any such scheme or any provisional order made for the purposes of such a scheme may be revoked or altered by a scheme made in like manner, and having the same effect as an original scheme.

*Provisions as to Elementary and Higher Education Powers respectively.*

22. (1) In this Act, and in the Elementary Education Acts, the expression "elementary school" shall not include any school carried on as an evening school under the regulations of the Board of Education.<sup>1</sup>

(2) The power to provide instruction under the Elementary Education Acts, 1870 to 1900, shall, except where those Acts expressly provide to the contrary, be limited to the provision in a public elementary school of instruction given under the regulations of the Board of Education to scholars who, at the close of the school year, will not be more than sixteen years of age. Provided that the local education authority may, with the consent of the Board of Education, extend those limits in the case of any such school if no suitable higher education is available within a reasonable distance of the school.<sup>2</sup>

(3) The power to supply or aid the supply of education other than elementary includes a power to train teachers, and to supply or aid the supply of any education except where that education is given at a public elementary school.<sup>3</sup>

<sup>1</sup> **Evening Schools**, page 84. <sup>2</sup> **Public Elementary Schools**, page 193.

<sup>3</sup> **Higher Education**, page 117; **Training Colleges**, page 284.

#### *Miscellaneous Provisions.*

23. (1) The powers of a council under this Act shall include the provision of vehicles or the payment of reasonable travelling expenses for teachers or children attending school or college whenever the council shall consider such provision or payment required by the circumstances of their area or of any part thereof.<sup>1</sup>

(2) The power of a council to supply or aid the supply of education other than elementary shall include power to make provision for the purpose outside their area in cases where they consider it expedient to do so in the interests of their area, and shall include power to provide or assist in providing scholarships for, and to pay or assist in paying the fees of, students ordinarily resident in the area of the council at schools or colleges or hostels within or without that area.<sup>2</sup>

(3) The county councillors elected for an electoral division consisting wholly of a borough or urban district, whose council are a local education authority for the purpose of Part III. of this Act or of some part of such a borough or district, shall not vote in respect of any question arising before the county council which relates only to matters under Part III. of this Act.

(4) The amount which would be produced by any rate in the pound shall be estimated for the purposes of this Act in accordance with regulations made by the Local Government Board.<sup>3</sup>

(5) The Mortmain and Charitable Uses Act, 1888, and so much of the Mortmain and Charitable Uses Act, 1891, as requires that land assured by will shall be sold within one year from the death of the testator, shall not apply to any assurance, within the meaning of the said Act of 1888, of land for the purpose of a schoolhouse for an elementary school.



(6) A woman is not disqualified, either by sex or marriage, for being on any body of managers or education committee under this Act.<sup>4</sup>

(7) Teachers in a school maintained but not provided by the local education authority shall be in the same position as respects disqualification for office as members of the authority as teachers in a school provided by the authority.

(8) Population for the purposes of this Act shall be calculated according to the census of 1901.

(9) Sub-sections 1 and 5 of section 87 of the Local Government Act, 1888 (which relate to local inquiries), shall apply with respect to any order, consent, sanction, or approval which the Local Government Board are authorised to make or give under this Act.<sup>5</sup>

(10) The Board of Education may, if they think fit, hold a public inquiry for the purpose of the exercise of any of their powers or the performance of any of their duties under this Act, and section 73 of the Elementary Education Act, 1870, shall apply to any public inquiry so held or held under any other provision of this Act.<sup>5</sup>

<sup>1</sup> **Conveyance of Children and Teachers**, page 61.

<sup>2</sup> **Higher Education**, page 117.

<sup>3</sup> **Rates**, page 204.

<sup>4</sup> **Women on Education Committees**, page 303.

<sup>5</sup> **Public Inquiry**, page 199.

### *Interpretation.*

24. (1) Unless the context otherwise requires, any expression to which a special meaning is attached in the Elementary Education Acts, 1870 to 1900, shall have the same meaning in this Act.

(2) In this Act the expression "minor local authority" means as respects any school the council of any borough or urban district, or the parish council, or (where there is no parish council) the parish meeting of any parish, which appears to the county council to be served by the school. Where the school appears to the county council to serve the area of more than one minor local authority the county council shall make such provision as they think proper for joint appointment of managers by the authorities concerned.

(3) In this Act, the expressions "powers," "duties," "property," and "liabilities" shall, unless the context otherwise requires, have the same meanings as in the Local Government Act, 1888.

(4) In this Act the expression "college" includes any educational institution, whether residential or not.<sup>1</sup>

(5) In this Act, unless the context otherwise requires, the expression "trust deed" includes any instrument regulating the trusts or management of a school or college.

<sup>1</sup> **Interpretation of Expressions**, page 142.

*Provisions as to Proceedings, Transfer, etc.: Application of Enactments and Repeal.*

25. (1) The provisions set out in the First and Second Schedules to this Act relating to education committees and managers, and to the transfer of property and officers, and adjustment, shall have effect for the purpose of carrying the provisions of this Act into effect.

(2) In the application of the Elementary Education Acts, 1870 to 1900, and other provisions referred to in that schedule, the modifications specified in the Third Schedule to this Act shall have effect.

(3) The enactments mentioned in the Fourth Schedule to this Act shall be repealed to the extent specified in the third column of that schedule.

*Application of the Act to the Scilly Islands.*

26. For the purposes of this Act the Council of the Isles of Scilly shall be the local education authority for the Scilly Islands, and the expenses of the council under this Act shall be general expenses of the council.

*Extent, Commencement, and Short Title.*

27. (1) This Act shall not extend to Scotland, or Ireland, or, except as expressly provided, to London.

(2) This Act shall, except as expressly provided, come into operation on the appointed day, and the appointed day shall be the 26th day of March, 1903, or such other day, not being more than eighteen months later, as the Board of Education may appoint, and different days may be appointed for different purposes and for different provisions of this Act, and for different councils.<sup>1</sup>

(3) The period during which local authorities may, under the Education Act, 1901, as renewed by the Education Act, 1901, (Renewal) Act, 1902, empower school boards to carry on the work of the schools and classes to which those Acts relate shall be extended to the appointed day, and in the case of London to the 26th day of March, 1904.

(4) This Act may be cited as the Education Act, 1902, and the Elementary Education Acts, 1870 to 1900, and this Act may be cited as the Education Acts, 1870 to 1902.

<sup>1</sup> **Appointed Day**, page 29.

## SCHEDULES.

## FIRST SCHEDULE.

## Provision as to Education Committees and Managers.

*A.—Education Committees.*

(1) The council by whom an education committee is established may make regulations as to the quorum, proceedings, and place of meeting of that committee, but, subject to any such regulations, the quorum, proceedings, and place of meeting of the committee shall be such as the committee determine.<sup>1</sup>

(2) The chairman of the education committee at any meeting of the committee shall, in case of an equal division of votes, have a second or casting vote.

(3) The proceedings of an education committee shall not be invalidated by any vacancy among its members or by any defect in the election, appointment, or qualification of any members thereof.

(4) Minutes of the proceedings of an education committee shall be kept in a book provided for that purpose, and a minute of those proceedings, signed at the same or next ensuing meeting by a person describing himself as, or appearing to be, chairman of the meeting of the committee at which the minute is signed, shall be received in evidence without further proof.

(5) Until the contrary is proved, an education committee shall be deemed to have been duly constituted and to have power to deal with any matters referred to in its minutes.

(6) An education committee may, subject to any directions of the council, appoint such and so many sub-committees, consisting either wholly or partly of members of the committee, as the committee thinks fit.<sup>2</sup>

<sup>1</sup> Standing Orders, page 256.    <sup>2</sup> Education Committees, page 74.

*B.—Managers.*

(1) A body of managers may choose their chairman, except in cases where there is an ex-officio chairman, and regulate their quorum and proceedings in such manner as they think fit, subject, in the case of the managers of a school provided by the local education authority, to any directions of that authority.

Provided that the quorum shall not be less than three, or one-third of the whole number of managers, whichever is the greater.

(2) Every question at a meeting of a body of managers shall be determined by a majority of the votes of the managers present and voting on the question, and in case of an equal division of votes the chairman of the meeting shall have a second or casting vote.

(3) The proceedings of a body of managers shall not be invalidated by any vacancy in their number, or by any defect in the election, appointment, or qualification of any manager.

(4) The body of managers of a school provided by the local education authority shall deal with such matters relating to the management of the school, and subject to such conditions and restrictions as the local education authority determine.

(5) A manager of a school not provided by the local education authority, appointed by that authority or by the minor local authority, shall be removable by the authority by whom he is appointed, and any such manager may resign his office.

(6) The body of managers shall hold a meeting at least once in every three months.

(7) Any two managers may convene a meeting of the body of managers.

(8) The minutes of the proceedings of every body of managers shall be kept in a book provided for that purpose.

(9) A minute of the proceedings of a body of managers, signed at the same or the next ensuing meeting by a person describing himself as, or appearing to be, chairman of the meeting at which the minute is signed, shall be received in evidence without further proof.

(10) The minutes of a body of managers shall be open to inspection by the local education authority.

(11) Until the contrary is proved, a body of managers shall be deemed to be duly constituted, and to have power to deal with the matters referred to in their minutes.

**Management of Schools, page 160.**

#### SECOND SCHEDULE.

##### Provisions as to Transfer of Property and Officers and Adjustment.

(1) The property, powers, rights, and liabilities (including any property, powers, rights, and liabilities vested, conferred, or arising under any local Act or any trust deed) of any school board or school attendance committee existing at the appointed day shall be transferred to the council exercising the powers of the school board.



(2) Where under the provisions of this Act any council relinquishes its powers and duties in favour of a county council, any property or rights acquired and any liabilities incurred for the purpose of the performance of the powers and duties relinquished, including any property or rights vested or arising, or any liabilities incurred under any local Act or trust deed, shall be transferred to the county council.

(3) Any loans transferred to a council under this Act shall, for the purpose of the limitation on the powers of the council to borrow, be treated as money borrowed under this Act.

(4) Any liability of an urban district council incurred under the Technical Instruction Acts, 1889 and 1891, and charged on any fund or rate shall, by virtue of this Act, become charged on the fund or rate out of which the expenses of the council under this Act are payable, instead of on the first-mentioned fund or rate.

(5) Section 2 of this Act shall apply to any balance of the residue under Section 1 of the Local Taxation (Customs and Excise) Act, 1890, remaining unexpended and unappropriated by any council at the appointed day.

(6) Where the liabilities of a school board transferred to the local education authority under this Act comprise a liability on account of money advanced by that authority to the school board, the Local Government Board may make such orders as they think fit for providing for the repayment of any debts incurred by the authority for the purposes of those advances within a period fixed by the order, and, in case the money advanced to the school board has been money standing to the credit of any sinking fund or redemption fund or capital money applied under the Local Government Acts, 1888 and 1894, or either of them, for the repayment to the proper fund or account of the amount so advanced.

Any order of the Local Government Board made under this provision shall have effect as if enacted in this Act.

(7) Where a district council ceases by reason of this Act to be a school authority within the meaning of the Elementary Education (Blind and Deaf Children) Act, 1893, or the Elementary Education (Defective and Epileptic Children) Act, 1899, any property or rights acquired and any liabilities incurred under those Acts shall be transferred to the county council, and notwithstanding anything in this Act, the county council may raise any expenses incurred by them to meet any liability of a school authority under those Acts (whether a district council or not), and transferred to the county council off the whole of their area or off any parish or parishes which, in the opinion of the council,

are served by the school in respect of which the liability has been incurred.

(8) Sections 85 to 88 of the Local Government Act, 1894 (which contain transitory provisions) shall apply with respect to any transfer mentioned in this schedule, subject as follows:—

(a) References to the “appointed day” and to “the passing of this Act” shall be construed, as respects a case of relinquishment of powers and duties, as references to the date on which the relinquishment takes effect; and

(b) The powers and duties of a school board or school attendance committee which is abolished, or a council which ceases under the provisions of this Act to exercise powers and duties, shall be deemed to be powers and duties transferred under this Act; and

(c) Sub-sections (4) and (5) of section 85 shall not apply.

(9) The disqualification of any persons who are, at the time of the passing of this Act, members of any council, and who will become disqualified for office in consequence of this Act, shall not, if the council so resolve, take effect until a day fixed by the resolution, not being later than the next ordinary day of retirement of councillors in the case of a county council, the next ordinary day of election of councillors in the case of the council of a borough, and the 15th day of April in the year 1904 in the case of an urban district council.

(10) No election of members of a school board shall be held after the passing of this Act, and the term of office of members of any school board holding office at the passing of this Act, or appointed to fill casual vacancies after that date, shall continue to the appointed day, and the Board of Education may make orders with respect to any matter which it appears to them necessary or expedient to deal with for the purpose of carrying this provision into effect, and any order so made shall operate as if enacted in this Act.

(11) Where required for the purpose of bringing the accounts of a school to a close before the end of the financial year of the school, or for the purpose of meeting any change consequent on this Act, the Board of Education may calculate any Parliamentary grant in respect of any month or other period less than a year, and may pay any Parliamentary grant which has accrued before the appointed day at such times and in such manner as they think fit.

(12) Any Parliamentary grant payable to a public elementary school not provided by a school board in respect of a period before the appointed day shall be paid to the persons who were

managers of the school immediately before that day, and shall be applied by them in payment of the outstanding liabilities on account of the school, and so far as not required for that purpose shall be paid to the persons who are managers of the school for the purposes of this Act, and shall be applied by them for the purposes for which provision is to be made under this Act by those managers, or for the benefit of any general fund applicable for those purposes, provided that the Board of Education may, if they think fit, pay any share of the aid grant under the Voluntary Schools Act, 1897, allotted to an association of voluntary schools to the governing body of that association, if such governing body satisfy the Board of Education that proper arrangements have been made for the application of any sum so paid.

(13) Any school which has been provided by a school board, or is deemed to have been so provided, shall be treated for the purposes of the Elementary Education Acts, 1870 to 1900, and this Act as a school which has been provided by the local education authority, or which is deemed to have been so provided, as the case may be.

(14) The local education authority shall be entitled to use for the purposes of the school any school furniture and apparatus belonging to the trustees or managers of any public elementary school not provided by a school board, and in use for the purposes of the school before the appointed day.

(15) During the period between the passing of this Act and the appointed day, the managers of any public elementary school, whether provided by a school board or not, and any school attendance committee, shall furnish to the council which will on the appointed day become the local education authority, such information as that council may reasonably require.<sup>1</sup>

(16) The officers of any authority whose property, rights, and liabilities are transferred under this Act to any council shall be transferred to and become the officers of that council, but that council may abolish the office of any such officer whose office they deem unnecessary.<sup>2</sup>

(17) Every officer so transferred shall hold his office by the same tenure and on the same terms and conditions as before the transfer, and while performing the same duties shall receive not less salary or remuneration than theretofore, but if any such officer is required to perform duties which are not analogous to or which are an unreasonable addition to those which he is required to perform at the date of the transfer, he may relinquish his office, and any officer who so relinquishes his office, or whose office is abolished, shall be entitled to compensation under this Act.

(18) A council may, if they think fit, take into account continuous service under any school boards or school attendance committees in order to calculate the total period of service of any officer entitled to compensation under this Act.

(19) If any officer of any authority to which the Poor Law Officers' Superannuation Act, 1896, applies is under this Act transferred to any council, and has made the annual contributions required to be made under that Act, the provisions of that Act shall apply, subject to such modifications as the Local Government Board may by order direct for the purpose of making that Act applicable to the case.

(20) Any local education authority who have established any pension scheme, or scheme for the superannuation of their officers, may admit to the benefits of that scheme any officers transferred under this Act on such terms and conditions as they think fit.

(21) Section 120 of the Local Government Act, 1888, which relates to compensation to existing officers, shall apply as respects officers transferred under this Act, and also (with the necessary modifications) to any other officers who, by virtue of this Act or anything done in pursuance or in consequence of this Act, suffer direct pecuniary loss by abolition of office or by diminution or loss of fees or salary, in like manner as it applies to officers transferred under this Act, subject as follows:—

(a) Any reference in that section to the county council shall include a reference to a borough or urban district council; and

(b) References in that section to "the passing of this Act" shall be construed, as respects a case of relinquishment of powers and duties, as references to the date on which the relinquishment takes effect; and

(c) Any reference to powers transferred shall be construed as a reference to property transferred; and

(d) Any expenses shall be paid out of the fund or rate out of which the expenses of a council under this Act are paid, and if any compensation is payable otherwise than by way of an annual sum, the payment of that compensation shall be a purpose for which a council may borrow for the purposes of this Act.

(22) Section 68 of the Local Government Act, 1894 (which relates to the adjustment of property and liabilities), shall apply with respect to any adjustment required for the purposes of this Act.

<sup>1</sup> Returns, page 227.

<sup>2</sup> Superannuation of Officers, page 265.



## THIRD SCHEDULE.

## Modifications of Acts, etc.

(1) References to school boards and school districts shall be construed as references to local education authorities and the areas for which they act, except as respects transactions before the appointed day, and except that in paragraph (2) of Section 19 of the Elementary Education Act, 1876, and in sub-section (1) of Section 2 of the Education Code (1890) Act, 1890, references to a school district shall, as respects the area of a local education authority being the council of a county, be construed as references to a parish.

(2) References to the school fund or local rate shall be construed as references to the fund or rate out of which the expenses of the local education authority are payable.

(3) In Section 38 of the Elementary Education Act, 1876, references to members of a school board shall be construed as references to members of the education committee, or of any sub-committee appointed by that committee for school attendance purposes.<sup>1</sup>

(4) The power of making bye-laws shall (where the local education authority is a county council) include a power of making different bye-laws for different parts of the area of the authority.<sup>2</sup>

(5) The following provision shall have effect in lieu of section 5 of the Elementary Education Act, 1891: "The duty of a local education authority under the Education Acts, 1870 to 1902, to provide a sufficient amount of public school accommodation, shall include the duty to provide a sufficient amount of public school accommodation without payment of fees in every part of their area."<sup>3</sup>

(6) The words "in the opinion of the Board of Education" shall be substituted for the words "in their opinion" in the first paragraph of section 18 of the Elementary Education Act, 1870.

(7) Section 99 of the Elementary Education Act, 1870, shall apply to the fulfilment of any conditions, the performance of any duties, and the exercise of any powers under this Act as it applies to the fulfilment of conditions required in pursuance of that Act to be fulfilled in order to obtain a Parliamentary grant.<sup>4</sup>

(8) A reference to the provisions of this Act as to borrowing shall be substituted in section 15 of the Elementary Education Act, 1876, for the reference to Section 10 of the Elementary Education Act, 1873, and a reference to the Local Government Board shall be substituted for the second reference in that section

to the Education Department, and also for the reference to the Education Department in section 5 of the Elementary Education (Blind and Deaf Children) Act, 1893.<sup>5</sup>

(9) A reference to the provisions of this Act relating to the enforcement of the performance of the local education authority's duties by mandamus shall be substituted in section 2 of the Elementary Education Act, 1880, for the reference to section 27 of the Elementary Education Act, 1876.<sup>6</sup>

(10) The substitution for school boards, school districts, school fund, and local rate made by this schedule shall, unless the context otherwise requires, be made in any enactment referring to or applying the Elementary Education Acts, 1870 to 1900, or any of them, so far as the reference or application extends.

(11) References in any enactment or in any provision of a scheme made under the Charitable Trusts Acts, 1853 to 1894, or the Endowed Schools Acts, 1869 to 1889, or the Elementary Education Acts, 1870 to 1900, to any provisions of the Technical Instruction Acts, 1889 and 1891, or either of those Acts, shall, unless the context otherwise requires, be construed as references to the provisions of Part II. of this Act, and the provisions of this Act shall apply with respect to any school, college, or hostel established, and to any obligation incurred, under the Technical Instruction Acts, 1889 and 1891, as if the school, college, or hostel had been established or the obligation incurred under Part II. of this Act.

(12) The Local Government Board may, after consultation with the Board of Education, by order make such adaptations in the provisions of any local Act (including any Act to confirm a Provisional Order and any scheme under the Municipal Corporation Act, 1882, as amended by any subsequent Act) as may seem to them to be necessary to make those provisions conform with the provisions of this Act, and may also in like manner, on the application of any council who have power as to education under this Act and have also powers as to education under any local Act, make such modifications in the local Act as will enable the powers under that Act to be exercised as if they were powers under this Act.

Any order made under this provision shall operate as if enacted in this Act.

<sup>1</sup> **Police Court Procedure**, page 190.

<sup>2</sup> **Bye-laws**, page 40.

<sup>3</sup> **Free Education**, page 106.

<sup>4</sup> **Public Elementary Schools**, page 193.

<sup>5</sup> **Loans**, page 152.

<sup>6</sup> **Mandamus**, page 167.

## FOURTH SCHEDULE.

## ENACTMENTS REPEALED.

## PART I.

| Session and Chapter. | Short Title.                                      | Extent of Repeal.                           |
|----------------------|---|---|
| 52 & 53 Vict. c. 76. | The Technical Instruction Act, 1889.              | The whole Act.                              |
| 53 & 54 Vict. c. 60. | The Local Taxation Customs and Excise) Act, 1890. | In section one, sub-sections two and three. |
| 54 & 55 Vict. c. 4.  | The Technical Instruction Act, 1891.              | The whole Act.                              |

## PART II.

| Session and Chapter. | Short Title.                        | Extent of Repeal.  |
|----------------------|-------------------------------------|--|
| 33 & 34 Vict. c. 75. | The Elementary Education Act, 1870. | Section 4; section 5 except so far as it defines public school accommodation; section 6; sections 8 to 13; sections 15 and 16; section 18 from "If at any time" to the end of the section; in section 19 the words "whether in obedience to any requisition or not"; sections 29 to 34; in section 35 the words "a clerk and a treasurer and other" and the words from "but no such appointment" to "member of the board"; sections 40 to 48; sections 49 to 51; in section 52 the words "under the provisions of this Act with respect to the appointment of a body of managers"; sections 53 to 56; sections 60 to 66; in section 69 the words "in the metropolis" and the words from "appointed under this Act" to "returns under this Act"; in |

PART II.—*Continued.*

| Session and Chapter.                     | Short Title.                                 | Extent of Report.   |
|--|--|---|
| 33 & 34 Vict. c. 75<br><i>Continued.</i> | The Elementary Education Act, 1879.          | section 73 the words "of the school district," the words from "(if any) or if" to "inquiry relates," and the words "or if there is no school board as a debt due from the rating authority"; sections 77 and 79; sections 87, 88, and 90; section 93; the first proviso of section 97; the First Schedule; the Second Schedule, except the Third Part; the Third Schedule.  |
| 36 & 37 Vict. c. 86.                     | The Elementary Education Act, 1873.          | Sections 5 to 12; sections 17 and 18; sections 21 and 26; the First Schedule; the Second Schedule; the Third Schedule.  |
| 37 & 38 Vict. c. 90.                     | The Elementary Education (Orders) Act, 1874. | The whole Act.  |
| 39 & 40 Vict. c. 79.                     | The Elementary Education Act, 1876.          | Section 7, from "and (2) in every" to "appointing the committee," and the words "and school attendance committee"; in section 15 the words "not exceeding fifty"; section 21; section 23 to "or pay any fees"; section 27; in section 28, the words "but subject in the case of a school attendance committee to the approval hereinafter mentioned" and the words "or the officers of the council or guardians by whom the committee are appointed"; sections 30, 31, 32, 33 (except as applied by this Act), and 34; section 36; in section 37 the words "or local authority"; in section 38 the words "or local authority" and "or school attendance committee"; sections 41, 42, 43, and 44; section 49; the Second Schedule; the Third Schedule. |
| 43 & 44 Vict. c. 23                      | The Elementary Education Act, 1880.          | Section 3.  |
| 53 & 54 Vict. c. 22                      | The Education Code (1890) Act, 1890.         | Section 1.  |



PART II.—*Continued.*

| Session and Chapter. | Short Title.  | Extent of Repeal.  |
|----------------------|---|--|
| 54 & 55 Vict. c. 56  | The Elementary Education Act, 1891.   | Sections 5, 6, and 7.  |
| 56 & 57 Vict. c. 42. | The Elementary Education (Blind and Deaf Children) Act, 1893.                     | Section 4 from “(b) for an area” to the end of the section.<br>Subsections (3) and (4) of section 5.<br>Section 6. |
| 59 & 60 Vict. c. 16. | The Agricultural Rates Act, 1896.<br><del>THE AGRICULTURAL RATES ACT, 1896.</del> | In section 7 the words “a school board for a school district which is a parish or,” and sub-section (3).           |
| 60 & 61 Vict. c. 5.  | The Voluntary Schools Act, 1897.  | Section 1.   |
| 60 & 61 Vict. c. 16. | The Elementary Education Act, 1897.   | The whole Act.   |
| 62 & 63 Vict. c. 32. | The Elementary Education (Defective and Epileptic Children) Act, 1899.            | In section 6 the proviso.  |
| 63 & 64 Vict. c. 53. | The Elementary Education Act, 1900.   | Section 3.   |

## THE ELEMENTARY EDUCATION ACT, 1870.

(33 AND 34 VICT. C. 75.)

*An Act to provide for Public Elementary Education in England and Wales.—(9th August, 1870.)*

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows: (that is to say)—

## PRELIMINARY.

*Short Title.*

1. This Act may be cited as "The Elementary Education Act, 1870."<sup>1</sup>

<sup>1</sup> The Elementary Education Acts, 1870-1900, may be cited as the Education Acts, 1870-1902. For list see page 333.

*Extent of Act.*

2. This Act shall not extend to Scotland or Ireland.

*Definition of Terms.*

3. In this Act—

The term "metropolis" means the places for the time being within the jurisdiction of the Metropolitan Board of Works under the Metropolis Management Act, 1855:

The term "borough" means any place for the time being subject to the Act of the session of the fifth and sixth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to provide for the regulation of municipal corporations in England and Wales," and the Acts amending the same:<sup>1</sup>

The term "parish" means a place for which for the time being a separate poor rate is or can be made:<sup>2</sup>

The term "person" includes a body corporate:

The term "Education Department" means "the Lords of the Committee of the Privy Council on Education":<sup>3</sup>

The term "Her Majesty's Inspectors" means the inspectors of schools appointed by Her Majesty on the recommendation of the Education Department:<sup>4</sup>

The term "managers" includes all persons who have the management of any elementary school, whether the legal interest in the schoolhouse is or is not vested in them:<sup>5</sup>

The term "teacher" includes assistant teacher, pupil teacher, sewing mistress, and every person who forms part of the educational staff of a school:<sup>6</sup>

The term "parent" includes guardian and every person who is liable to maintain or has the actual custody of any child:<sup>7</sup>

The term "elementary school" means a school or department of a school at which elementary education is the principal part of the education there given, and does not include any school or department of a school at which the ordinary payments in respect of the instruction, from each scholar, exceed ninepence a week:<sup>8</sup>

The term "schoolhouse" includes the teacher's dwelling-house and the playground (if any) and the offices and all premises belonging to or required for a school:

The term "vestry" means the ratepayers of a parish meeting in vestry according to law:

The term "ratepayer" includes every person who, under the provisions of the Poor Rate Assessment and Collection Act, 1869, is deemed to be duly rated:<sup>9</sup>

The term "Parliamentary grant" means a grant made in aid of an elementary school, either annually or otherwise, out of moneys provided by Parliament for the Civil Service, intituled "For Public Education in Great Britain."<sup>10</sup>

<sup>1</sup> **Local Education Authorities**, page 157.

<sup>2</sup> **Parish**, page 185.

<sup>3</sup> Now the Board of Education, see 62 & 63 Vict. c. 33, page 455. Also **Board of Education**, page 35.

<sup>4</sup> **Inspectors and Organising Masters**, page 139.

<sup>5</sup> **Management of Schools**, page 160.

<sup>6</sup> **Teachers**, page 269.

<sup>7</sup> **Parent**, page 185.

<sup>8</sup> **Public Elementary Schools**, page 193. The school fees are inclusive of the Fee Grant; see 54 & 55 Vict. c. 56, page 426. **Fees**, page 101.

<sup>9</sup> **Ratepayers**, page 204.

<sup>10</sup> Regulated by the Code of the Board of Education. **Public Elementary Schools**, page 193. **Grants**, page 111.

4. School Districts, etc. Repealed by the Board of Education Act, 1902.

5. Supply of Schools, etc. Repealed by the Board of Education Act, 1902, except so far as it defines public school accommodation.<sup>1</sup> The words of Section 5 were: Supply of Schools. School District to have sufficient Public Schools. 5. There shall be provided for every school district a sufficient amount of accommodation in public elementary schools (as hereinafter defined)<sup>1</sup> available for all the children resident in such

district for whose elementary education efficient and suitable provision is not otherwise made; and where there is an insufficient amount of such accommodation, in this Act referred to as "public school accommodation," the deficiency shall be supplied in manner provided by this Act.<sup>2</sup>

<sup>1</sup> For definition of Public Elementary School see Section 7. Also **Public Elementary Schools**, page 193.

<sup>2</sup> **School Provision**, page 243.

6. Supply of Schools, etc. Repealed by the Board of Education Act, 1902.

*Regulations for Conduct of Public Elementary School.*

7. Every elementary school which is conducted in accordance with the following regulations shall be a public elementary school within the meaning of this Act; <sup>1</sup> and every public elementary school shall be conducted in accordance with the following regulations (a copy of which regulations shall be conspicuously put up in every such school), namely:—

- (1) It shall not be required, as a condition of any child being admitted into or continuing in the school, that he shall attend or abstain from attending any Sunday school or any place of religious worship, or that he shall attend any religious observance or any instruction in religious subjects in the school or elsewhere, from which observance or instruction he may be withdrawn by his parent, or that he shall, if withdrawn by his parent, attend the school on any day exclusively set apart for religious observance by the religious body to which his parent belongs:<sup>2</sup>
- (2) The time or times during which any religious observance is practised or instruction in religious subjects is given at any meeting of the school shall be either at the beginning or at the end, or at the beginning and the end of such meeting, and shall be inserted in a timetable to be approved by the Education Department, and to be kept permanently and conspicuously affixed in every schoolroom; and any scholar may be withdrawn by his parent from such observance or instruction without forfeiting any of the other benefits of the school:
- (3) The school shall be open at all times to the inspection of any of Her Majesty's inspectors, so, however, that it shall be no part of the duties of such inspector to inquire into any instruction in religious subjects given at such school, or to examine any scholar therein in religious knowledge or in any religious subject or book:



- (4) The school shall be conducted in accordance with the conditions required to be fulfilled by an elementary school in order to obtain an annual Parliamentary grant.<sup>1</sup>

<sup>1</sup> **Public Elementary School**, page 193.

<sup>2</sup> **Religious Instruction**, page 221.

*Proceedings for Supply of Schools.*

8. Determination by Education Department of Deficiency of Public School Accommodation. Repealed by the Act of 1902.

9. Notice by Education Department of Public School Accommodation required. Repealed by the Act of 1902.

10. Formation of School Board and requisition to provide Schools. Repealed by the Act of 1902.

11. Proceedings in default of School Board. Repealed by the Act of 1902.

12. Formation of School Board, etc. Repealed by the Act of 1902.

13. Proceedings by Education Department after the first year. Repealed by the Act of 1902.

MANAGEMENT AND MAINTENANCE OF SCHOOLS BY SCHOOL BOARD.

*Management of School by School Board.*

14. Every school provided by a school board shall be conducted under the control and management of such board in accordance with the following regulations :

- (1) The school shall be a public elementary school within the meaning of this Act :<sup>1</sup>
- (2) No religious catechism or religious formulary which is distinctive of any particular denomination shall be taught in the school.<sup>2</sup>

<sup>1</sup> **Public Elementary Schools**, page 193.

<sup>2</sup> **Religious Instruction**, page 221.

15. Appointment of Managers by School Board. Repealed by Act of 1902.

16. Neglect by (School) Board, etc. Repealed by the Act of 1902.

*Fees of Children.*

17. Every child attending a school provided by any school board shall pay such weekly fee as may be prescribed by the school board, with the consent of the Education Department, but the school board may from time to time, for a renewable period not exceeding six months, remit the whole or any part of such fee in the case of any child when they are of opinion that

the parent of such child is unable from poverty to pay the same, but such remission shall not be deemed to be parochial relief given to such parent.<sup>1</sup>

<sup>1</sup> **Fees**, page 101 ; also **Free Education**, page 106.

This section is affected by the Act of 1891 (see page 426), which established the Fee Grant ; see **Fee Grant**, page 100.

*Maintenance by School Board of Schools and sufficient School Accommodation.*

18. The school board shall maintain and keep efficient every school provided by such board, and shall from time to time provide such additional school accommodation as is, in their opinion, necessary in order to supply a sufficient amount of public school accommodation for their district.<sup>1</sup>

A school board may discontinue any school provided by them, or change the site of any such school, if they satisfy the Education Department that the school to be discontinued is unnecessary, or that such change of site is expedient.

Remainder of section dealing with Neglect of School Board repealed by Board of Education Act, 1902.

<sup>1</sup> **School Provision**, page 243.

*Powers of School Board for Providing Schools.*

19. Every school board for the purpose of providing sufficient public school accommodation for their district,<sup>1</sup> may provide, by building or otherwise, schoolhouses properly fitted up, and improve, enlarge, and fit up any schoolhouse provided by them, and supply school apparatus and everything necessary for the efficiency of the schools provided by them, and purchase and take on lease any land, and any right over land, or may exercise any of such powers.<sup>2</sup>

<sup>1</sup> The words, "*whether in obedience to any requisition or not*," repealed by the Act of 1902.

<sup>2</sup> **School Provision**, page 243 ; **Compulsory Purchase of Land**, page 54 ; **Transfer of Schools**, page 289.

*Compulsory Purchase of Sites.—Regulations as to the Purchase of Land compulsorily.*

20. With respect to the purchase of land by school boards for the purposes of this Act the following provisions shall have effect (that is to say) :

- (1) The Lands Clauses Consolidation Act, 1845, and the Acts amending the same, shall be incorporated with this Act, except the provisions relating to access to the special Act ; and in construing those Acts for the purposes of this section the special Act shall be construed to mean this Act, and the promoters of the undertaking shall

be construed to mean the school board, and land shall be construed to include any right over land :<sup>1</sup>

- (2) The school board, before putting in force any of the powers of the said Acts with respect to the purchase and taking of land otherwise than by agreement, shall—

*Publication of Notices.*

- (a) Publish, during three consecutive weeks in the months of October and November, or either of them, a notice describing shortly the object for which the land is proposed to be taken, naming a place where a plan of the land proposed to be taken may be seen at all reasonable hours, and stating the quantity of land that they require; and shall further,

*Service of Notices.*

- (b) After such publication, serve a notice in manner mentioned in this section on every owner or reputed owner, lessee or reputed lessee, and occupier of such land, defining in each case the particular land intended to be taken, and requiring an answer stating whether the person so served assents, dissents, or is neuter in respect of taking such land ;
- (c) Such notice shall be served—

- (a) By delivery of the same personally on the person required to be served, or, if such person is absent abroad, to his agent; or
- (b) By leaving the same at the usual or last known place of abode of such person as aforesaid, or by forwarding the same by post in a registered letter, addressed to the usual or last known place of abode of such person.

*Petition to Education Department.*

- (3) Upon compliance with the provisions contained in this section with respect to notices the school board may, if they think fit, present a petition under their seal to the Education Department, praying that an order may be made authorising the school board to put in force the powers of the said Acts with respect to the purchase and taking of land otherwise than by agreement, so far as regards the land therein mentioned; the petition shall state the land intended to be taken and the purposes for which it is required, and the names of the

<sup>1</sup> **Compulsory Purchase of Land.** page 54 ; **Sites.** page 253.

owners, lessees, and occupiers of land who have assented, dissented, or are neuter in respect of the taking of such land, or who have returned no answer to the notice, and shall be supported by such evidence as the Education Department may from time to time require :

- (4) If, on consideration of the petition and proof of the publication and service of the proper notices, the Education Department think fit to proceed with the case, they may, if they think fit, appoint some person to inquire in the district in which the land is situate respecting the propriety of the proposed order, and also direct such person to hold a public inquiry :
- (5) After such consideration and proof, and after receiving a report made upon any such inquiry, the Education Department may make the order prayed for, authorising the school board to put in force with reference to the land referred to in such order the powers of the said Acts with respect to the purchase and taking of land otherwise than by agreement, or any of them, and either absolutely or with such conditions and modifications as they may think fit, and it shall be the duty of the school board to serve a copy of any order so made in the manner and upon the persons in which and upon whom notices in respect of the land to which the order relates are required by this Act to be served.

*No Order Valid until Confirmed by Parliament.*

- (6) No order so made shall be of any validity unless the same has been confirmed by Act of Parliament ; and it shall be lawful for the Education Department, as soon as conveniently may be, to obtain such confirmation, and the Act confirming such order shall be deemed to be a public general Act of Parliament :
- (7) The Education Department, in case of their refusing or modifying such order, may make such order as they think fit for the allowance of the costs, charges, and expenses of any person whose land is proposed to be taken of and incident to such application and inquiry respectively :

*Costs, how to be Defrayed.*

- (8) All costs, charges, and expenses incurred by the Education Department in relation to any order under this section shall, to such amount as the Commissioners of Her Majesty's Treasury think proper to direct, and all costs, charges, and expenses of any person which shall be so allowed by the Education Department as aforesaid



shall become a charge upon the school fund of the district to which such order relates, and be repaid to the said Commissioners of Her Majesty's Treasury or to such person respectively, by annual instalments not exceeding five, together with interest after the yearly rate of five pounds in the hundred, to be computed from the date of any such direction of the said Commissioners, or allowance of such costs, charges, and expenses respectively upon so much of the principal sum due in respect of the said costs, charges, and expenses as may from time to time remain unpaid.

The School Sites Acts, as defined in the fourth schedule to this Act, shall apply in the same manner as if the school board were trustees or managers of a school within the meaning of those Acts, and land may be acquired under any of the Acts mentioned in this section or partly under one and partly under another Act.

*Purchase of Land by Managers of Public Elementary School.*

21. For the purpose of the purchase by the managers of any public elementary school of a schoolhouse for such school, or a site for the same, the Lands Clauses Consolidation Act, 1845, and the Acts amending the same (except so much as relates to the purchase of land otherwise than by agreement), shall be incorporated with this Act; and in construing those Acts for the purposes of this section, the special Act shall be construed to mean this Act; and the promoters of the undertaking shall be construed to mean such managers, and land shall be construed to include any right over land.

The conveyance of any land so purchased may be in the form prescribed by the School Sites Acts, or any of them, with this modification, that the conveyance shall express that the land shall be held upon trust for the purposes of a public elementary school within the meaning of this Act, or some one of such purposes which may be specified, and for no other purpose whatever.

Land may be acquired under the Acts incorporated with this section, or under the School Sites Acts, or any of them, or partly under one and partly under another Act.

Any persons desirous of establishing a public elementary school shall be deemed to be managers for the purpose of this section if they obtain the approval of the Education Department to the establishment of such school.

*Sale or Lease of Schoolhouse.*

22. The provisions of the Charitable Trusts Acts, 1853 to 1869, which relate to the sale, leasing, and exchange of lands belonging to any charity, shall extend to the sale, leasing, and

exchange of the whole or any part of any land or schoolhouse belonging to a school board which may not be required by such board, with this modification, that the Education Department shall for the purposes of this section be deemed to be substituted in those Acts for the Charity Commissioners.

*Managers may Transfer School to School Board.*

23. The managers of any elementary school in the district of a school board may, in manner provided by this Act, make an arrangement with the school board for transferring their school to such school board, and the school board may assent to such arrangement.

An arrangement under this section may be made by the managers by a resolution or other act as follows; that is to say—

- (1) Where there is any instrument declaring the trusts of the school, and such instrument provides any manner in which or any assent with which a resolution or act binding the managers is to be passed or done, then in accordance with the provisions of such instrument:
- (2) Where there is no such instrument, or such instrument contains no such provisions, then in the manner and with the assent, if any, in and with which it may be shown to the Education Department to have been usual for a resolution or act binding such managers to be passed or done:
- (3) If no manner or assent can be shown to have been usual, then by a resolution passed by a majority of not less than two-thirds of those members of their body who are present at a meeting of the body summoned for the purpose, and vote on the question, and with the assent of any other person whose assent under the circumstances appears to the Education Department to be requisite.

And in every case such arrangement shall be made only—

- (1) With the consent of the Education Department; and,
- (2) If there are annual subscribers to such school, with the consent of a majority, not being less than two-thirds in number, of those of the annual subscribers who are present at a meeting duly summoned for the purpose, and vote on the question.

Provided that where there is any instrument declaring the trusts of the school, and such instrument contains any provision for the alienation of the school by any persons or in any manner or subject to any consent, any arrangement under this section shall be made by the persons in the manner and with the consent so provided.

Where it appears to the Education Department that there is any trustee of the school who is not a manager, they shall cause the managers to serve on such trustee, if his name and address are known, such notice as the Education Department think sufficient: and the Education Department shall consider and have due regard to any objections and representations he may make respecting the proposed transfer.

The Education Department shall consider and have due regard to any objections and representations respecting the proposed transfer which may be made by any person who has contributed to the establishment of such school.

After the expiration of six months from the date of transfer the consent of the Education Department shall be conclusive evidence that the arrangement has been made in conformity with this section.

An arrangement under this section may provide for the absolute conveyance to the school board of all the interest in the schoolhouse possessed by the managers or by any person who is trustee for them or for the school, or for the lease of the same, with or without any restrictions, and either at a nominal rent or otherwise, to the school board, or for the use by the school board of the schoolhouse during part of the week, and for the use of the same by the managers or some other person during the remainder of the week, or for any arrangement that may be agreed on. The arrangement may also provide for the transfer or application of any endowment belonging to the school, or for the school board undertaking to discharge any debt charged on the school not exceeding the value of the interest in the schoolhouse or endowment transferred to them.

When an arrangement is made under this section the managers may, whether the legal interest in the schoolhouse or endowment is vested in them or in some person as trustee for them or the school, convey to the school board all such interest in the schoolhouse and endowment as is vested in them or in such trustee, or such smaller interest as may be required under the arrangement.

Nothing in this section shall authorise the managers to transfer any property which is not vested in them, or a trustee for them, or held in trust for the school: and where any person has any right given him by the trusts of the school to use the school for any particular purpose independently of such managers, nothing in this section shall authorise any interference with such right except with the consent of such person.

Every school so transferred shall, to such extent and during such times as the school board have under such arrangement any control over the school, be deemed to be a school provided by the school board.<sup>1</sup>

<sup>1</sup> **Transfer of Schools.** page 289.

*Re-transfer of School by School Board to Managers.*

24. Where any school, or any interest therein, has been transferred by the managers thereof to the school board of any school district in pursuance of this Act, the school board of such district may, by a resolution passed as hereinafter mentioned, and with the consent of the Education Department, re-transfer such school or such interest therein to a body of managers qualified to hold the same under the trusts of the school as they existed before such transfer to the school board, and upon such re-transfer may convey all the interest in the schoolhouse and in any endowment belonging to the school vested in the school board.

A resolution for the purpose of this section may be passed by a majority of not less than two-thirds of those members of the school board who are present at a meeting duly convened for the purpose, and vote on the question.

The Education Department shall not give their consent to any such re-transfer unless they are satisfied that any money expended upon such school out of a loan raised by the school board of such district has been or will on the completion of the re-transfer be repaid to the school board.

Every school so re-transferred shall cease to be a school provided by a school board, and shall be held upon the same trusts on which it was held before it was transferred to the school board.

25. Payment of School Fees in Voluntary Schools. Repealed by the Act of 1876, sec. 10, *post*.

26. Establishment of Free School in Special Cases. Repealed by the Act of 1891, sec. 56, *post*. The Act of 1891 makes the provision of free school accommodation compulsory.

*Contribution to Industrial Schools, 29 and 30 Vict. c. 118.*

27. A school board shall have the same powers of contributing money in the case of an industrial school as is given to a prison authority by sec. 12 of the Industrial Schools Act, 1866;<sup>1</sup> and upon the election of a school board in a borough the council of that borough shall cease to have power to contribute under that section.<sup>2</sup>

<sup>1</sup> *Industrial Schools Acts*, page 134. <sup>2</sup> *Industrial Schools*, page 126. See also sec. 8 of *Industrial Schools Acts*, 1872, page 488.

*Establishment of Industrial School.*

28. A school board may, with the consent of the Education Department, establish, build, and maintain a certified industrial school within the meaning of the Industrial Schools Act, 1866, and shall for that purpose have the same powers as they have for the purpose of providing sufficient school accommodation for their district: Provided that the school board, so far as



regards any such industrial school, shall be subject to the jurisdiction of one of Her Majesty's Principal Secretaries of State in the same manner as the managers of any other industrial school are subject; and such school shall be subject to the provisions of the said Act, and not of this Act.<sup>1</sup>

<sup>1</sup> **Industrial Schools**, page 126.

29. Constitution of School Board. Repealed by the Act of 1902.

30. Constitution of School Board. Repealed by the Act of 1902.

31. Election of School Board. Repealed by the Act of 1902.

32. Non-election, etc., of School Board. Repealed by the Act of 1902.

33. Determination of Disputes as to Election of School Boards. (This section had previously been repealed by the Municipal Elections Act, 1884, sec. 38, also by Schedule 4, Act of 1902.)

34. Disqualification of Members of Board. Repealed by the Act of 1902.

#### *Appointment of Officers.*

35. A school board may appoint . . . .<sup>1</sup> necessary officers, including the teachers required for any school provided by such board, to hold office during the pleasure of the board, and may assign them such salaries or remuneration (if any) as they think fit, and may from time to time remove any of such officers; . . . .<sup>2</sup>

Two or more school boards may arrange for the appointment of the same person to be an officer to both or all such boards.

Such officers shall perform such duties as may be assigned to them by the board or boards who appoint them.<sup>3</sup>

<sup>1</sup> The following words in this section are repealed by the Act of 1902: "A clerk and a treasurer and other."

<sup>2</sup> "But no such appointment shall be made, except at the first meeting of such board, unless notice in writing has been sent to every member of the board."

<sup>3</sup> **Officers**, page 183; see also **Superannuation of Officers**, page 265.

#### *Officer to Enforce Attendance at School.*

36. Every school board may, if they think fit, appoint an officer or officers to enforce any bye-laws under this Act with reference to the attendance of children at school,<sup>1</sup> and to bring children who are liable under the Industrial Schools Act, 1866, to be sent to a certified industrial school before two justices in order to their being so sent,<sup>2</sup> and any expenses incurred under this section may be paid out of the school fund

<sup>1</sup> **Attendance Officers**, page 29; Bye-laws, page 40; Police Court Procedure, page 190; Compulsory School Attendance, page 57.

<sup>2</sup> **Industrial Schools**, page 126.

## SCHOOL BOARD IN METROPOLIS.

37. The provisions of this Act with respect to the formation and the election of school boards in boroughs and parishes shall not extend to the metropolis; and with respect to a school board in the metropolis the following provisions shall have effect:—

- (1) The school board shall consist of such number of members elected by the divisions specified in the fifth schedule to this Act as the Education Department may by order fix:
- (2) The Education Department, as soon as may be after the passing of this Act, shall by order determine the boundaries of the said divisions for the purposes of this Act, and the number of members to be elected by each such division:
- (3) The provisions of this Act with respect to the constitution of the school board shall extend to the constitution of the school board under this section, and the name of the school board shall be the School Board for London:
- (4) The first election of the school board shall take place on such day, as soon as may be after the passing of this Act, as the Education Department may appoint, and subsequent elections shall take place in the month of November every third year on the day from time to time appointed by the school board:
- (5) At every election for each division every voter shall be entitled to a number of votes equal to the number of the members of the school board to be elected for such division, and may give all such votes to one candidate, or may distribute them among the candidates, as he thinks fit:
- (6) Subject to the provisions contained in this section and in any order made by the Education Department under the power contained in the second schedule to this Act, the members of the board shall, in the city of London, be elected by the same persons and in like manner as common councilmen are elected, and in the other divisions of the metropolis shall be elected by the same persons and in the same manner as vestrymen under the Metropolis Management Act, 1855, and the Acts amending the same; and, subject as aforesaid, the Acts relating to the election of the common councilmen, and sections fourteen to nineteen, and twenty-one to twenty-seven, all inclusive, of the Metropolis Management Act, 1855, and section thirty-six of the Metropolis Management Amendment Act, 1862, shall, so far as is consistent with the tenor thereof, apply in the case of the election of members of the school board:

- (7) The school board shall proceed at once to supply their district with sufficient public school accommodation, and any requisition sent by the Education Department to such board may relate to any of the divisions mentioned in the fifth schedule to this Act in like manner as if it were a school district, and it shall not be necessary for the Education Department to publish any notices before sending such requisition :
- (8) The Education Department may, in the order fixing the boundaries of such divisions name some person who shall be the returning officer for the purposes of the first election of the school board, and the person who is to be the deputy returning officer in each such division :
- (9) The chairman of the school board shall be elected by the school board, and any chairman who may be elected by the board may be elected either from the members of the board or not, and any chairman who is not an elected member of the board shall, by virtue of his office, be a member of the board as if he had been so elected.<sup>1</sup>
- (10) Apportionment of Deficiency in School Fund. This section was repealed by Sec. 28 of the Act of 1873, *post*, Sec. 16 of that Act being substituted.
- (11) For obtaining payment of the amount specified in any precept sent by the school board to the rating authority for any part of the metropolis, the school board, in addition to any other powers and remedies, shall have the like powers as the Metropolitan Board of Works have for obtaining payment of any sum assessed by them on the same part of the metropolis.

<sup>1</sup> **London School Board**, page 159.

#### *Payment of Chairman.*

38. The School Board for London may pay to the chairman of such board such salary as they may from time to time, with the sanction of the Education Department, fix.

#### *Alteration of Number of Members.*

39. If at any time application is made to the Education Department by the School Board for London,<sup>1</sup> or by any six members of that board, and it is shown to the satisfaction of the Education Department that the population of any of the divisions mentioned in the fifth schedule to this Act, as shown by any census taken under the authority of Parliament, has varied materially from that shown by the previous census, or that the rateable value of any of the said divisions has materially varied

from the rateable value of the same division ten years previously, the Education Department, after such inquiry as they think necessary, may, if they think fit, make an order altering, by way of increase or decrease, the number of members of that and any other division.

<sup>1</sup> **London School Board**, page 159.

40. United School Districts—Formation by Education Department of United Districts. Repealed by the Act of 1902.

41. Conditions of Formation of District. Repealed by the Act of 1902.

42. As to Dissolution of United School District. Repealed by the Act of 1902.

43. Public Inquiry as to United District in Future. Repealed by the Act of 1902.

44. Order to be Evidence of Formation or Dissolution. Repealed by the Act of 1902.

45. Constitution of School Board in United School District. Repealed by the Act of 1902.

46. Election of School Board in United School District. Repealed by the Act of 1902.

47. Arrangements on Formation of United School District. Repealed by the Act of 1902.

48. As to Small Parishes. Repealed by the Act of 1902.

49. Contributory Districts. Repealed by the Act of 1902.

50. Election of Members by Contributory District. Repealed by the Act of 1902.

51. Notice and Public Inquiry as to Contributory District. Repealed by the Act of 1902.

#### *Combination of School Boards.*

52. The school boards of any two or more school districts, with the sanction of the Education Department, may combine together for any purpose relating to elementary schools in such districts, and in particular may combine for the purpose of providing, maintaining, and keeping efficient schools common to such districts. Such agreements may provide for the appointment of a joint body of managers (*under the provisions of this Act with respect to the appointment of a body of managers—repealed by Act of 1902*), and for the proportion of the contributions to be paid by each school district, and any other matters which, in the opinion of the Education Department, are necessary for carrying out such agreement, and the expenses of such joint body of managers shall be paid in the proportions specified in the agreement by each of the school boards out of their school fund.<sup>1</sup>

<sup>1</sup> **Combination of Authorities**, page 53.



53. Expenses—School Fund of School Board. Repealed by the Act of 1902.

54. Deficiency of School Fund raised out of Rates. Repealed by the Act of 1902.

55. Apportionment of School Fund in United and Contributory District. Repealed by the Act of 1902.

56. Remedy of School Board in Default of Rating Authority, etc. Repealed by the Act of 1902.

57. Borrowing by School Board. Repealed by Sec. 28 of the Act of 1873, *post*, and new provision substituted by Sec. 10 of that Act.<sup>1</sup>

<sup>1</sup> **Loans**, page 152.

*Borrowing by School Board for London.*

58. Any sum borrowed by the School Board for London in pursuance of this Act, with the approval of the Education Department, may be borrowed from and may be lent by the Metropolitan Board of Works, and section thirty-seven of the Metropolitan Board of Works Loan Act, 1869, shall apply to such loan in the same manner as if the managers therein mentioned were the School Board for London, and there were added to the sum therein authorised to be borrowed the sum authorised by the Education Department to be borrowed under this section.

59. Accounts and Audit—Accounts to be made up and Examined. Repealed by Sec. 28 of the Act of 1873, *post*, and new provision substituted by Sec. 17 of that Act.

60. Audit of Accounts. Repealed in part by District Auditors Act, 1879, and by the Act of 1902.

61. Penalty for Improper Payment of Surcharge. Repealed by the Act of 1902.

62. Publication of Accounts. Repealed by the Act of 1902.

63. Defaulting School Board—Proceedings in default of School Board. Repealed by the Act of 1902.

64. Certificate of Education Department as to Appointments, Expenses, and Loans. Repealed by the Act of 1902.

65. Expenses incurred on Default. Repealed by the Act of 1902.

66. Dissolution of School Board. Repealed by the Act of 1902.

RETURNS AND INQUIRY.

*Returns by Local Authority.*

67. On or before the first day of January one thousand eight hundred and seventy-one, or in the case of the metropolis before the expiration of four months from the date of the election of the chairman of the school board, every local authority herein-after mentioned, and subsequently any such local authority whenever required by the Education Department, but not oftener

than once in every year, shall send to the Education Department a return containing such particulars with respect to the elementary schools and children requiring elementary education in their district as the Education Department may from time to time require.<sup>1</sup>

<sup>1</sup> **Local Education Authorities**, page 157 ; and **Returns**, page 227.

#### *Mode of Obtaining Returns.*

68. For the purpose of obtaining such returns the Education Department shall draw up forms, and supply to the local authority such number of forms as may be required ; and the managers or principal teacher of every school required to be included in any such return shall fill up the form, and return the same to the local authority within the time specified in that behalf in the form.

#### *Local Authority to make Returns.*

69. The returns shall be made . . . by the school board . . . . . (Amended by Act of 1902.)

The local authority may, with the sanction of the Education Department, employ persons to assist in making such returns, and may pay those persons such remuneration as the Treasury may sanction. That remuneration, and all such other reasonable expenses incurred by the local authority in making such returns as the Treasury may sanction, shall be paid by the Education Department.

#### *Proceedings on Default of Authority to make Returns.*

70. If any local authority fail to make the returns required under this Act, the Education Department may appoint any person or persons to make such returns, and the person or persons so appointed shall for that purpose have the same powers and authorities as the local authority.

#### *Inquiry by Inspectors of Education Department.*

71. The Education Department may appoint any persons to act as inspectors of returns, who shall proceed to inquire into the accuracy and completeness of any one or more returns made in pursuance of this Act, and into the efficiency and suitability of any school mentioned in any such return, or which ought to have been mentioned therein, and to inspect and examine the scholars in every such school. Where there is no return the inspector shall proceed as if there had been a defective return.<sup>1</sup>

**Public Inquiry**, page 199.

#### *Refusal to fill up Forms and to admit Inspectors.*

72. If the managers or teacher of any school refuse or neglect to fill up the form required for the said return, or refuse to allow

the inspector to inspect the schoolhouse or examine any scholar, or examine the school books and registers, or make copies or extracts therefrom, such school shall not be taken into consideration among the schools giving efficient elementary education to the district.

*Public Inquiry.*

73. Where a public inquiry is held in pursuance of the provisions of this Act the following provisions shall have effect :

(1) The Education Department shall appoint some person who shall proceed to hold the inquiry :

(2) The person so appointed shall for that purpose hold a sitting or sittings in some convenient place in the neighbourhood . . . . to which the subject of inquiry relates, and thereat shall hear, receive, and examine any evidence and information offered, and hear and inquire into any objections or representations made respecting the subject of the inquiry, with power from time to time to adjourn any sitting.

Notice shall be published in such manner as the Education Department direct of every such sitting (except an adjourned sitting) seven days at least before the holding thereof :

(3) The person so appointed shall make a report in writing to the Education Department setting forth the result of the inquiry, and stating his opinion on the subject thereof, and his reasons for such opinion, and the objections and representations, if any, made on the inquiry, and his opinion thereon ; and the Education Department shall cause a copy of such report to be deposited with the school board . . . . and notice of such deposit to be published :

(4) The Education Department may make an order directing that the costs of the proceedings and inquiry shall be paid, according as they think just, either by the district as if they were expenses of a school board, or by the applicants for the inquiry ; and such costs may be recovered in the former case, as a debt due from the school board, . . . . and in the case of the applicants as a debt due jointly and severally from them ; and the Education Department may, if they think fit, before ordering the inquiry to be held, require the applicants to give security for such expenses, and in case of their refusal may refuse to order the inquiry to be held.<sup>1</sup>

<sup>1</sup> Public Inquiry, page 199.

## ATTENDANCE AT SCHOOL.

*As to Attendance of Children at School.*

74. Every school board may from time to time, with the approval of the Education Department, make bye-laws for all or any of the following purposes:

- (1) Requiring the parents of children of such age, not less than five years nor more than thirteen years, as may be fixed by the bye-laws, to cause such children (unless there is some reasonable excuse) to attend school;
- (2) Determining the time during which children are so to attend school; provided that no such bye-laws shall prevent the withdrawal of any child from any religious observance or instruction in religious subjects, or shall require any child to attend school on any day exclusively set apart for religious observance by the religious body to which his parent belongs, or shall be contrary to anything contained in any Act for regulating the education of children employed in labour;
- (3) Providing for the remission. . . . of the whole or any part of the fees of any child where the parent satisfies the school board that he is unable from poverty to pay the same;
- (4) Imposing penalties for the breach of any bye-laws;
- (5) Revoking or altering any bye-law previously made:

Provided that any bye-law under this section requiring a child between ten and thirteen years of age to attend school shall provide for the total or partial exemption of such child from the obligation to attend school if one of Her Majesty's Inspectors certifies that such child has reached a standard of education specified in such bye-law. Any of the following reasons shall be a reasonable excuse, namely:—

- (1) That the child is under efficient instruction in some other manner;
- (2) That the child has been prevented from attending school by sickness or any unavoidable cause;
- (3) That there is no public elementary school open which the child can attend within such distance, not exceeding three miles, measured according to the nearest road, from the residence of such child, as the bye-laws may prescribe.

The school board, not less than one month before submitting any bye-law under this section for the approval of the Education Department, shall deposit a printed copy of the proposed bye-laws at their office for inspection by any ratepayer, and supply a printed copy thereof gratis to any ratepayer, and shall publish a notice of such deposit.



The Education Department before approving of any bye-laws shall be satisfied that such deposit has been made and notice published, and shall cause such inquiry to be made in the school district as they think requisite.

Any proceeding to enforce any bye-law may be taken, and any penalty for the breach of any bye-law may be recovered, in a summary manner: but no penalty imposed for the breach of any bye-law shall exceed such amount as with the costs will amount to five shillings for each offence, and such bye-laws shall not come into operation until they have been sanctioned by Her Majesty in Council.

It shall be lawful for Her Majesty, by Order in Council, to sanction the said bye-laws, and thereupon the same shall have effect as if they were enacted in this Act.

All bye-laws sanctioned by Her Majesty in Council under this section shall be set out in an appendix to the annual report of the Education Department.<sup>1</sup>

**Bye-laws.** page 40: **Law of School Attendance,** page 148.

#### MISCELLANEOUS.

##### *Application of Small Endowments.*

75. Where any school or any endowment of a school was excepted from the Endowed Schools Act, 1869, on the ground that such school was at the commencement of that Act in receipt of an annual Parliamentary grant, the governing body (as defined by that Act) of such school or endowment may frame and submit to the Education Department a scheme respecting such school or endowment.

The Education Department may approve such scheme, with or without any modifications, as they think fit.

The same powers may be exercised by means of such scheme as may be exercised by means of any scheme under the Endowed Schools Act, 1869; and such scheme, when approved by the Education Department, shall have effect as if it were a scheme made under that Act.

A certificate of the Education Department that a school was at the commencement of the Endowed Schools Act, 1869, in receipt of an annual Parliamentary grant shall be conclusive evidence of that fact for all purposes.<sup>1</sup>

<sup>1</sup> **Endowments.** page 80.

##### *Inspection of Voluntary Schools by Inspector not one of Her Majesty's Inspectors.*

76. Where the managers of any public elementary school not provided by a school board desire to have their school inspected or the scholars therein examined, as well in respect of religious as of other subjects, by an inspector other than one of Her

Majesty's Inspectors, such managers may fix a day or days not exceeding two in any one year for such inspection or examination.

The managers shall, not less than fourteen days before any day so fixed, cause public notice of the day to be given in the school, and notice in writing of such day to be conspicuously affixed in the school.

On any such day any religious observance may be practised and any instruction in religious subjects given at any time during the meeting of the school, but any scholar who has been withdrawn by his parent from any religious observance or instruction in religious subjects shall not be required to attend the school on any such day.<sup>1</sup>

<sup>1</sup> **Inspectors and Organising Masters.** page 139.

77. Parish divided by Boundaries of Boroughs. Repealed by the Act of 1902.

*Education Department may apply to Charity Commissioners under 16 and 17 Vict. c. 137, etc.*

78. The Education Department shall, for the purposes of the Charitable Trusts Acts, 1853 to 1869, be deemed to be persons interested in any elementary school to which those Acts are applicable, and the endowment thereof.<sup>1</sup>

79. Ascertaining Rateable Value. Repealed by the Act of 1902.

80. Mode of Publication of Notices. Repealed by Sec. 28 of the Act of 1873, and new provision substituted by Sec. 20 of that Act.

<sup>1</sup> **Charity Commission.** page 49.

#### *Notices may be Served by Post.*

81. Certificates, notices, requisitions, orders, precepts, and all documents required by this Act to be served or sent may, unless otherwise expressly provided, be served and sent by post, and, till the contrary is proved, shall be deemed to have been served and received respectively at the time when the letter containing the same would be delivered in the ordinary course of post; and in proving such service or sending it shall be sufficient to prove that the letter containing the certificate, notice, requisition, order, precept, or document was prepaid, and properly addressed, and put into the post.

#### *Notices to and by School Board.*

82. Certificates, notices, requisitions, orders, and other documents may be served on a school board by serving the same on their clerk, or by sending the same to or delivering the same at the office of such board.

Certificates, notices, requisitions, orders, precepts, and other documents may be in writing or in print, or partly in writing and partly in print, and if requiring authentication by a school board may be signed by their clerk.

*Evidence of Orders, etc., of Education Department.*

83. All orders, minutes, certificates, notices, requisitions, and documents of the Education Department, if purporting to be signed by some secretary or assistant secretary of the Education Department, shall, until the contrary is proved, be deemed to have been so signed and to have been made by the Education Department, and may be proved by the production of a copy thereof purporting to have been so signed.

The Documentary Evidence Act, 1868, shall apply to the Education Department in like manner as if the Education Department were mentioned in the first column of the schedule to that Act, and any member of the Education Department, or any secretary or assistant secretary of the Education Department, were mentioned in the second column of that schedule.

*Effect of Requisitions of Education Department.*

84. After the expiration of three months from the date of any order or requisition of the Education Department under this Act such order or requisition shall be presumed to have been duly made, and to be within the powers of this Act, and no objection to the legality thereof shall be entertained in any legal proceeding whatever.

*Appearance of School Board.*

85. A school board may appear in all legal proceedings by their clerk, or by some member of the board authorised by a resolution of the board: and every such resolution shall appear upon the minutes of the proceedings of the board, but every such resolution shall, until the contrary is proved, be deemed in any legal proceeding to appear upon such minutes.

*Tenure of Teacher and his Removal from House under Secs. 17 and 18 of 4 and 5 Vict. c. 38.*

86. The provisions of the School Sites Acts with respect to the tenure of the office of the schoolmaster or schoolmistress, and to the recovery of possession of any premises held over by a master or mistress who has been dismissed or ceased to hold office, shall extend to the case of any school provided by a school board, and of any master or mistress of such school, in the same manner as if the school board were the trustees or managers of the school as mentioned in those Acts.<sup>1</sup>

<sup>1</sup> School Sites Acts, page 251.

87. Ratepayer may inspect Books, etc., of School Board. Repealed by the Act of 1902.

88. Penalty for making Incorrect Returns. Repealed by the Act of 1902.

89. Penalty on Personation of Voter. Repealed by Sec. 28 of the Act of 1873. *Offence provided for by Municipal Election, etc., Act., 1884.*

90. Penalty for Forging or Falsifying any Voting Paper, or obstructing the Election. Repealed, part by the Act of 1873 and remainder by the Act of 1902.

91. Corrupt Practices. Repealed by the Statute Law Revision Act, No. 2, 1893. See note to Sec. 89.

### *Recovery of Penalties.*

92. Any penalty and any money which under this Act is recoverable summarily, and all proceedings under this Act which may be taken in a summary manner, may be recovered and taken before two justices in manner directed by an Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled "An Act to facilitate the performance of the duties of justices of the peace out of sessions within England and Wales with respect to summary convictions and orders," and the Acts amending the same.<sup>1</sup>

<sup>1</sup> **Police Court Procedure**, page 190.

93. Provision as to Oxford. Repealed by the Act of 1902.

### *Effect of Schedules.*

94. The schedules to this Act shall be of the same force as if they were enacted in this Act, and the Acts mentioned in the fourth schedule to this Act may be cited in the manner in that schedule mentioned.

### *Returns by School Board.*

95. Every school board shall make such report and returns and give such information to the Education Department as the department may from time to time require.<sup>1</sup>

<sup>1</sup> **Returns**, page 227.

### PARLIAMENTARY GRANT.

#### *Parliamentary Grant to Public Elementary School only.*

96. After the thirty-first day of March one thousand eight hundred and seventy-one no Parliamentary grant shall be made to any elementary school which is not a public elementary school within the meaning of this Act.<sup>1</sup>



No Parliamentary grant shall be made in aid of building, enlarging, improving, or fitting up any elementary school, except in pursuance of a memorial duly signed, and containing the information required by the Education Department for enabling them to decide on the application, and sent to the Education Department on or before the thirty-first day of December one thousand eight hundred and seventy.<sup>2</sup>

<sup>1</sup> **Grants**, page 111 ; **Public Elementary Schools**, page 193.

<sup>2</sup> **Building Grants**, page 40.

*Conditions of Annual Parliamentary Grant.*

97. The conditions required to be fulfilled by an elementary school<sup>1</sup> in order to obtain an annual Parliamentary grant shall be those contained in the minutes of the Education Department in force for the time being, and shall amongst other matters provide that after the thirty-first day of March one thousand eight hundred and seventy-one:

- (1) Such grant shall not be made in respect of any instruction in religious subjects:
- (2) *Limitation of Grant repealed by Sec. 19 of Act of 1876*, but such conditions shall not require that the school shall be in connection with a religious denomination, or that religious instruction shall be given in the school, and shall not give any preference or advantage to any school on the ground that it is or is not provided by a school board:

(First proviso dealing with necessitous school boards repealed by Act of 1902.)

Provided that no such minute of the Education Department not in force at the time of the passing of this Act shall be deemed to be in force until it has lain for not less than one month on the table of both Houses of Parliament.

<sup>1</sup> **Public Elementary Schools**, page 193.

*Refusal to Grant to Unnecessary Schools.*

98. If the managers of any school which is situate in the district of a school board acting under this Act, and is not previously in receipt of an annual Parliamentary grant, whether such managers are a school board or not, apply to the Education Department for a Parliamentary grant, the Education Department may, if they think that such school is unnecessary, refuse such application.

The Education Department shall cause to be laid before both Houses of Parliament in every year a special report stating the cases in which they have refused a grant under this section during the preceding year, and their reasons for each such refusal.

*Power of Schools to take Parliamentary Grants.*

99. The managers of every elementary school shall have power to fulfil the conditions required in pursuance of this Act to be fulfilled in order to obtain a Parliamentary grant, notwithstanding any provision contained in any instrument regulating the trusts or management of their school, and to apply such grant accordingly.

## REPORT.

*Annual Report of Education Department.*

100. The Education Department shall in every year cause to be laid before both Houses of Parliament a report of their proceedings under this Act during the preceding year.<sup>1</sup>

<sup>1</sup> **Board of Education**, page 35.

First Schedule. School Districts, School Boards, etc., and Second Schedule. First Part: Election and Retirement of Members. Second Part: Of a School Board, Rules, etc. Repealed by the Act of 1902.

## SECOND SCHEDULE.

## THIRD PART.

*Rules for Election of School Board in Metropolis.*

1. If any person be returned for more than one division, he shall, at or before the first meeting of the school board after such election, signify in writing to the board his decision as to the division which he may desire to represent on such return, and if he fails so to do the school board shall decide the division which he shall represent: and upon any such decision the office of member for the other division shall be deemed vacant. Such vacancy shall be filled up by an election to be held in manner directed by an order made under the power contained in the first part of this schedule.

2. The provisions in the first part of this schedule shall apply in the case of the school board in the metropolis.

3. The provisions in the first part of this schedule with respect to the proceedings in the case of no members being elected for a school district shall not only apply to the whole of the metropolis, but shall apply to the case of no members being elected for any particular division, with this qualification, that the Education Department shall not proceed as in the case of a school board in default, but may direct that persons may be elected by the school board to be members for such division.

4. In the places named in schedule (C) to "The Metropolis Management Act, 1855," the expenses of the election shall be paid out of the local rate, and such rate, or any increase of the rate, may be levied for the purpose.

5. The day for the retirement of members from office shall be the first day of December.

6. Casual Election. Repealed by *Sec. 52 of the 39 and 40 Vict. c. 79, post.*

7. If any vacancy is filled up by the school board, the election shall be by the whole school board.

Third Schedule. Repealed by the Act of 1902.

#### FOURTH SCHEDULE.

##### SCHOOL SITES ACTS.

The following Acts may be cited together as the "School Sites Acts, 1841 to 1851":—

| Year and Chapter of Act. | Title of Act.  | Short Title by which Acts may be cited. |
|--------------------------|--|---|
| 4 & 5 Vict. c. 38 . .    | An Act to afford further facilities for the conveyance and endowment of sites for schools.   | The School Sites Act, 1841.             |
| 7 & 8 Vict. c. 37 . .    | An Act to secure the terms on which grants are made by Her Majesty out of the Parliamentary grant for the education of the poor; and to explain the Act of the fifth year of Her present Majesty, for the conveyance of sites for schools. | The School Sites Act, 1844.             |
| 12 & 13 Vict. c. 49 .    | An Act to extend and explain the provisions of the Acts for the granting of sites for schools.   | The School Sites Act, 1849.             |
| 14 & 15 Vict. c. 24 .    | An Act to amend the Acts for the granting of sites for schools.  | The School Sites Act, 1851.             |

#### FIFTH SCHEDULE.

##### DIVISIONS OF METROPOLIS (1).

Name of Division.

Name of Division.

Marylebone  
Finsbury  
Lambeth  
Tower Hamlets  
Hackney.

Westminster.  
Southwark.  
City.  
Chelsea.  
Greenwich.

ELEMENTARY EDUCATION ACT (1870) AMENDMENT  
ACT, 1873.

(36 AND 37 VICT. C. 86.)

*An Act to Amend the Elementary Education Act (1870), and  
for other purposes connected therewith.—(5th August, 1873.)*

BE it enacted by the Queen's most Excellent Majesty, by and  
with the advice and consent of the Lords Spiritual and Temporal,  
and Commons, in this present Parliament assembled, and by the  
authority of the same, as follows:—

PRELIMINARY.

*Short Title.*

1. This Act may be cited as "The Elementary Education Act,  
1873;" and this Act and "The Elementary Education Act, 1870"  
(in this Act referred to as the principal Act), may be cited  
together as "The Elementary Education Acts, 1870 and 1873."

*Construction of Act.*

2. This Act shall be construed as one with the principal Act,  
and the expression "this Act" in the principal Act shall be  
construed to include this Act.

3. Expenses of Education. Repealed by Sec. 52 of the Act  
of 1876. *See Sec. 40 of that Act, and Sec. 5 of the Act of 1880,  
post.*

4. Power of Local Government Board as to Relief and  
Guardians. Repealed. Substitute provision in Sec. 34 of the  
Act of 1876, *post.* Repealed by the Statute Law Revision Act,  
1883.

5. Election of School Boards, etc. Repealed by the Act of  
1902.

6. Election of School Boards, etc. Repealed by the Act of  
1902.

7. Overseers (Rate Books). Repealed by the Act of 1902.

8. Election of School Boards, etc. Repealed by the Act of  
1902.

9. Election of School Boards, etc. Repealed by the Act of  
1902.

10. Loans. Repealed by the Act of 1902.



11. Election of School Boards, etc. Repealed by the Act of 1902.

12. Election of School Boards, etc. Repealed by the Act of 1902.

*Power of School Board to accept Gifts for Educational Purposes.*

13. A school board shall be able and be deemed always to have been able to be constituted trustees for any educational endowment or charity for purposes connected with education, whether such endowment or charity was established before or after the passing of the principal Act, and to have and always to have had power to accept any real or personal property given to them as an educational endowment or upon trust for any purposes connected with education :<sup>1</sup> Provided that—

- (1) Nothing in this section shall enable a school board to be trustees for or accept any educational endowment, charity, or trust, the purposes of which are inconsistent with the principles on which the school board are required by Sec. 14 of the principal Act to conduct schools provided by them ; and,
- (2) Every school connected with such endowment, charity, or trust shall be deemed to be a school provided by the school board, except that nothing in this section shall authorise the school board to expend any money out of the local rate for any purpose other than elementary education ; and,
- (3) Nothing in this section shall affect the law of mortmain or the Act of the ninth year of the reign of King George the Second, c. 36.

<sup>1</sup> **Scholarships**, page 233 ; **Endowments**, page 80.

*Amendment of 29 and 30 Vict. c. 118, sec. 12, as applied to School Boards.*

14. Where a school board exercises the powers of a prison authority under the Industrial Schools Act, 1866,<sup>1</sup> not less than fourteen days, instead of not less than two months, previous notice shall be given of the intention of the school board to take into consideration the making of the contribution mentioned in Sec. 12 of that Act.

<sup>1</sup> **Industrial Schools**, page 126.

*Amendment of 33 and 34 Vict. c. 75, sec. 20.*

15. For the purpose of the purchase of land otherwise than by agreement under Sec. 20 of the principal Act, the Act confirming an order of the Education Department for such purchase,

together with the principal Act, shall be deemed to be the special Act.<sup>1</sup>

<sup>1</sup> **Compulsory Purchase of Land**, page 54.

*Valuation List in Metropolis.*

16. The principal Act shall be construed as if there were substituted for sub-sec. 10 of sec. 37 thereof the following words:

The school board shall apportion the amount required to be raised to meet the deficiency in the school fund among the different parts of the metropolis mentioned in the third column of the First Schedule to this Act, in proportion to the rateable value of such parts, as shown by the valuation lists for the time being in force under the Valuation (Metropolis) Act, 1869, or any other Act for making valuation lists, or where there is no such valuation list, in the same proportion and according to the same basis in and according to which the then last rate made by the Metropolitan Board of Works was assessed.

*The said substitution shall not affect anything done before the passing of this Act, except that anything done before the passing of this Act which would have been legal if the said substitution had been made shall be legal.* Repealed by the Statute Law Revision Act, 1883.

17. Making up and Examination of Accounts. Repealed by the Act of 1902.

18. Making up and Examination of Accounts. Repealed by the Act of 1902.

*Extension of 33 and 34 Vict. c. 75, sec. 70, to Returns.*

19. Where the Education Department have power under the principal Act to require any local authority to send to them a return, the Education Department, without requiring such local authority to make the return, shall have the same power of appointing a person or persons to make such return as they would have under section 70 of the principal Act if the local authority had been required to make and had failed to make such return.<sup>1</sup>

<sup>1</sup> **Returns**, page 227.

*Notices for Purposes of Elementary Education Acts.*

20. Notices and other matters required by the Elementary Education Acts, 1870 and 1873, to be published, shall, unless otherwise expressly provided, be published either by advertisement, and by affixing the same on the doors of churches and chapels, and other public places, or in such other manner as the

Education Department may either generally or with respect to any particular district, place, or notice, or class of districts, places, or notices, by order determine, as being in their opinion sufficient for giving information to all persons interested; and all overseers, assistant overseers, and officers of guardians shall comply with the directions of the Education Department with respect to such notices, and any expenses incurred by them in carrying into effect this section may be paid as their expenses under the Acts relating to the relief of the poor.

Every person who wilfully tears down, injures, or defaces any notice affixed in pursuance of the Elementary Education Acts, 1870 and 1873, or any order of the Education Department made thereunder, shall be liable on summary conviction to a penalty not exceeding forty shillings.

21. Amendment of 33 and 34 Vict. c. 75. Third Schedule. Repealed by the Act of 1902.

*Returns by Schools to School Boards.*

22. In any school district in which a bye-law under sec. 74 of the principal Act is in force, the school board of such district may from time to time supply forms to any public elementary school for the purpose of obtaining reasonable information with respect to the attendance of children residing in their district who attend such school; and the managers of such school, if they fail to cause such forms to be truly filled up and returned in manner required by the school board, or to cause such information to be given as will enable the school board to ascertain whether a child resident within their district and attending that school attends the same in manner required by the said bye-law, shall cause to be produced to each member or officer of the school board or other person as may be duly authorised in that behalf by the school board at any reasonable time when required by him, the register and other books and documents containing information with respect to the attendance of children of such school, and shall permit him to inspect and take copies of and extracts from the same. If any difference arises between a school board and the managers of a public elementary school as to whether the information required by the said forms is or is not reasonable, such difference shall be referred to the Education Department, whose decision shall be final.<sup>1</sup>

<sup>1</sup> **Returns**, page 227; and **Compulsory School Attendance**, page 57.

*Legal Proceedings.*

23. All offences and penalties under the principal Act or this Act, or any bye-law under the principal Act, which may be prosecuted or recovered on summary conviction, may be prosecuted and recovered in manner provided by the Summary Jurisdiction Acts.

The court of summary jurisdiction, when hearing and determining an information or complaint, shall be constituted either of two or more justices of the peace in petty session sitting at a place appointed for holding petty sessions, or of some magistrate or officer sitting alone or with others at some court or other place appointed for the administration of justice, and for the time being empowered by law to do alone any act authorised to be done by more than one justice of the peace.<sup>1</sup>

<sup>1</sup> **Bye-laws**, page 40; **Compulsory School Attendance**, page 57; **Police Court Procedure**, page 190; **Law of School Attendance**, page 148.

*Regulations as to Legal Proceedings.*

24. With respect to proceedings before a court of summary jurisdiction for offences and penalties under the principal Act, or this Act, or any bye-law under the principal Act, the following provisions shall have effect:

- (1) Repealed by Summary Jurisdiction Act, 1884. See Section 39 (1) and (2) of Summary Jurisdiction Act, 1879.
- (2) Repealed by Summary Jurisdiction Act, 1884. See Section 39 (1) and (2) of Summary Jurisdiction Act, 1879.
- (3) In any proceeding for an offence under a bye-law, the court may, instead of inflicting a penalty, make an order directing that the child shall attend school, and that if he fail so to do, the person on whom such order is made shall pay a penalty not exceeding the penalty to which he is liable for failing to comply with the bye-law:
- (4) Any justice may require by summons any parent or employer of a child, required by a bye-law to attend school, to produce the child before a court of summary jurisdiction, and any person failing, without reasonable excuse to the satisfaction of the court, to comply with such summons shall be liable to a penalty not exceeding twenty shillings:
- (5) A certificate purporting to be under the hand of the principal teacher of a public elementary school, stating that a child is or is not attending such school, or stating the particulars of the attendance of a child at such school, or stating that a child has been certified by one of Her Majesty's inspectors to have reached a particular standard of education, shall be evidence of the facts stated in such certificate:
- (6) Where a child is apparently of the age alleged for the purposes of the proceedings, it shall lie on the defendant to prove that the child is not of such age:
- (7) If a child is attending an elementary school which is not a public elementary school, it shall lie on the defendant



to show that the school is efficient, and the court, in considering whether any elementary school is efficient, shall have regard to the age of the child and to the standard of education corresponding to such age prescribed by the minutes of the Education Department for the time being in force with respect to the Parliamentary grant:

(8) Where a school board are, by reason of the default of the managers or proprietor of an elementary school, unable to ascertain whether a child who is resident within the district of such school board and attends such school, attends school in conformity with a bye-law made by such school board, it shall lie on the defendant to show that the child has attended school in conformity with the bye-law:

(9) Any person may appear by any member of his family or any other person authorised by him in this behalf.<sup>1</sup>

<sup>1</sup> **Bye-laws**, page 40; **Compulsory School Attendance**, page 57; **Police Court Procedure**, page 190; **Law of School Attendance**, page 148.

#### *Forgery of Certificate, and giving False Information.*

25. Every person who forges or counterfeits any certificate which is by this Act made evidence of any matter, or gives or signs any such certificate which is to his knowledge false in any material particular, or, knowing any such certificate to be forged, counterfeit, or false, makes use thereof, shall be liable on summary conviction to imprisonment for a period not exceeding three months, with or without hard labour.<sup>1</sup>

<sup>1</sup> **Forgery and False Statements**, page 105.

26. Schedules, part of Act. Repealed by the Act of 1902.

#### *Interpretation.*

27. In this Act—

The term "guardian" includes any body of persons performing the functions of guardians within the meaning of the Acts relating to the relief of the poor:

The term "union" means any union or incorporation of parishes under any general or local Act, and any single parish having guardians as defined by this Act under any general or local Act:

The term "common fund" means, in the case of a union which comprises only one parish, the fund applicable to the relief of the poor of such parish:

The term the "*Summary Jurisdiction Acts*" means the Acts of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled, "*An Act to facilitate the performance of the duties of*

*Justices of the Peace out of sessions within England and Wales with respect to summary convictions and orders," inclusive of any Acts amending the same:*

*The term "court of summary jurisdiction" means any justice or justices of the peace, metropolitan police magistrates, stipendiary, or other magistrate or officer, by whatever name called, to whom jurisdiction is given by the Summary Jurisdiction Acts.—Repealed by the Statute Law Revision (No. 2) Act, 1893.*

### *Repeal and Savings.*

28. The principal Act is hereby repealed, to the extent specified in the third column of the fourth schedule to this Act.

Provided that—

- (1) Any order or regulation of the Education Department made under any enactment hereby repealed shall continue in force as if it had been made under this Act:
- (2) Any school board elected under any enactment hereby repealed shall continue and be deemed to have been elected under this Act:
- (3) The repeal of any Act or enactment by this Act shall not—
  - (a) Affect anything duly done or suffered under any such Act or enactment; or
  - (b) Affect any right, privilege, obligation, or liability acquired, accrued, or incurred under any such Act or enactment, or bye-law; or
  - (c) Affect any penalty, forfeiture, or punishment incurred in respect of any offence committed against any such Act, enactment, or bye-law; or
  - (d) Affect any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid; and any such investigation, legal proceeding, and remedy may be carried on as if this Act had not passed.

### *Schedules.*

First Schedule. Election of and Application for School Boards. Repealed by the Act of 1902.

Second Schedule. Rules respecting the Election of Members of School Boards. Repealed by the Act of 1902.

Third Schedule. Proceedings of School Boards. Repealed by the Act of 1902.

Fourth Schedule. Repealed by the Statute Law Revision Act, 1883.

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The Elementary Education (Orders) Act, 1874. Repealed by the Act of 1902.

## THE ELEMENTARY EDUCATION ACT, 1876.

(39 AND 40 VICT. C. 79.)

*An Act to make further provision for Elementary Education.  
(15th August, 1876.)*

WHEREAS it is expedient to make further provision for the education of children, and for securing the fulfilment of parental responsibility in relation thereto, and otherwise to amend and to extend the Elementary Education Acts:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

## PRELIMINARY.

*Short Title.*

1. This Act may be cited as the "Elementary Education Act, 1876."

*Extent of Act.*

2. This Act shall not, save as otherwise expressly provided, apply to Scotland or Ireland.

*Commencement of Act.*

3. This Act shall, save as otherwise expressly provided, come into operation on the first day of January one thousand eight hundred and seventy-seven (which day is in this Act referred to as the commencement of this Act).

## PART I.

## LAW AS TO EMPLOYMENT AND EDUCATION OF CHILDREN.

*Declaration of Duty of Parent to Educate Child.*

4. It shall be the duty of the parent of every child to cause such child to receive efficient elementary instruction in reading, writing, and arithmetic, and if such parent fail to perform such duty, he shall be liable to such orders and penalties as are provided by this Act.<sup>1</sup>

<sup>1</sup> Parent, page 185; Bye-laws, page 40; Compulsory School Attendance, page 57; Police Court Procedure, page 190; Law of School Attendance, page 148.

*Regulation as to Employment of Child under 10, and Certificate of Education or previous School Attendance being Condition of Employment of Child over 10.*

5. A person shall not, after the commencement of this Act, take into his employment (except as hereinafter in this Act mentioned) any child—

- (1) Who is under the age of ten years; or
- (2) Who, being of the age of ten years or upwards, has not obtained such certificate either of his proficiency in reading, writing, and elementary arithmetic, or of previous due attendance at a certified efficient school, as is in this Act in that behalf mentioned, unless such child, being of the age of ten years or upwards, is employed, and is attending school in accordance with the provisions of the Factory Acts, or of any bye-laws of the local authority (hereinafter mentioned) made under sec. 74 of the Elementary Education Act, 1870, as amended by the Elementary Education Act, 1873, and this Act, and sanctioned by the Education Department.<sup>1</sup>

<sup>1</sup> **Employment of Children**, page 81; **Bye-laws**, page 40; **Police Court Procedure**, page 190; **Law of School Attendance**, page 148.

*Penalty for Employing a Child in contravention of Act.*

6. Every person who takes a child into his employment in contravention of this Act shall be liable, on summary conviction, to a penalty not exceeding forty shillings.<sup>1</sup>

<sup>1</sup> **Employment of Children**, page 81.

*Enforcement of Act by School Board or School Attendance Committee of existing Local Authority or by Inspectors of Factories or Mines.*

7. The provisions of this Act respecting the employment of children shall be enforced—

- (1) In a school district within the jurisdiction of a school board, by that board; and
- (2) In every other school district by a committee (in this Act referred to as a school attendance committee) appointed annually, if it is a borough, by the council of the borough, and if it is a parish, by the guardians of the union comprising such parish.

A school attendance committee under this section may consist of not less than six nor more than twelve members of the council or guardians appointing the committee.—Repealed by Act of 1902.



Every such school board [*and school attendance committee—* repealed by Act of 1902] (in this Act referred to as the local authority) shall, as soon as may be, publish the provisions of this Act within their jurisdiction in such manner as they think best calculated for making those provisions known.

Provided that it shall be the duty of the inspectors and sub-inspectors acting under the Acts regulating factories, workshops, and mines respectively, and not of the local authority, to enforce the observance by the employers of children in such factories, workshops, and mines of the provisions of this Act respecting the employment of children; but it shall be the duty of the local authority to assist the said inspectors and sub-inspectors in the performance of their duty by information and otherwise.<sup>1</sup>

It shall be the duty of such local authority to report to the Education Department any infraction of the provisions of sec. 7 of the Elementary Education Act, 1870, in any public elementary school within their district which may come to their knowledge, and also to forward to the Education Department any complaint which they may receive of the infraction of those provisions.

<sup>1</sup> **Factories and Workshops Acts**, page 97.

8. Employment and Education of Children in Factories. Repealed by Factory and Workshop Act, 41 Vict. c. 16.

See **Factories and Workshops Acts**, page 97.

*Exception to Prohibition of Employment of Children.*

9. A person shall not be deemed to have taken any child into his employment contrary to the provisions of this Act, if it is proved to the satisfaction of the court having cognisance of the case either—

- (1) That during the employment there is not within two miles, measured according to the nearest road, from the residence of such child any public elementary school open which the child can attend; or
- (2) That such employment, by reason of being during the school holidays, or during the hours during which the school is not open, or otherwise, does not interfere with the efficient elementary instruction of such child, and that the child obtains such instruction by regular attendance for full time at a certified efficient school or in some other equally efficient manner; or
- (3) That the employment is exempted by the notice of the local authority hereinafter next mentioned; that is to say—

The local authority may, if it thinks fit, issue a notice exempting from the prohibitions and restrictions of this Act the employment of children above the age

of eight years, for the necessary operations of husbandry and the ingathering of crops, for the period to be named in such notice: Provided that the period or periods so named by any such local authority shall not exceed in the whole six weeks between the first day of January and the thirty-first day of December in any year.

The local authority shall cause a copy of every notice so issued to be sent to the Education Department and to the overseers of every parish within its jurisdiction, and the overseers shall cause such notice to be affixed to the door of all churches and chapels in the parish, and the local authority may further advertise any such notice in such manner (if any) as it may think fit.<sup>1</sup>

<sup>1</sup> **Employment of Children**, page 80.

*Payment of School Fees for Poor Parents.<sup>1</sup>*

10. The parent, not being a pauper, of any child who is unable by reason of poverty to pay the ordinary fee for such child at a public elementary school, or any part of such fee, may apply to the guardians having jurisdiction in the parish in which he resides; and it shall be the duty of such guardians, if satisfied of such inability, to pay the said fee, not exceeding threepence a week, or such part thereof as he is, in the opinion of the guardians, so unable to pay.

The parent shall not, by reason of any payment made under this section, be deprived of any franchise, right, or privilege, or be subject to any disability or disqualification.

Payment under this section shall not be made on condition of the child attending any public elementary school other than such as may be selected by the parent, nor refused because the child attends, or does not attend, any particular public elementary school.

The twenty-fifth section of the Elementary Education Act, 1870, is hereby repealed.

<sup>1</sup> With the compulsory provision of free education, this provision has become practically obsolete.

*Provision as to Order of Court for Attendance at School of Child habitually Neglected by Parent or habitually Wandering and Consorting with Criminals or Disorderly Persons.*

11. If either—

- (1) The parent of any child above the age of five years who is under this Act prohibited from being taken into full-time employment, habitually and without reasonable excuse neglects to provide efficient elementary instruction for his child; or

- (2) Any child is found habitually wandering or not under proper control, or in the company of rogues, vagabonds, disorderly persons, or reputed criminals;

it shall be the duty of the local authority, after due warning to the parent of such child, to complain to a court of summary jurisdiction, and such court may, if satisfied of the truth of such complaint, order that the child do attend some certified efficient school willing to receive him and named in the order, being either such as the parent may select, or, if he do not select any, then such public elementary school as the court think expedient, and the child shall attend that school every time that the school is open, or in such other regular manner as is specified in the order.

An order under this section is in this Act referred to as an attendance order.

Any of the following reasons shall be a reasonable excuse :

- (1) That there is not within two miles, measured according to the nearest road, from the residence of such child, any public elementary school open which the child can attend; or
- (2) That the absence of the child from school has been caused by sickness or any unavoidable cause.<sup>1</sup>

<sup>1</sup> **Compulsory School Attendance**, page 57; **Industrial Schools**, page 126; **Police Court Procedure**, page 190.

*Proceedings on Disobedience to Order of Court for Attendance at School.*

12. Where an attendance order is not complied with without any reasonable excuse within the meaning of this Act, a court of summary jurisdiction, on complaint made by the local authority, may, if it think fit, order as follows:—

- (1) In the first case of non-compliance, if the parent of the child does not appear, or appears and fails to satisfy the court that he has used all reasonable efforts to enforce compliance with the order, the court may impose a penalty not exceeding, with the costs, five shillings;<sup>1</sup> but if the parent satisfies the court that he has used all reasonable efforts as aforesaid, the court may, without inflicting a penalty, order the child to be sent to a certified day industrial school, or if it appear to the court that there is no such school suitable for the child, then to a certified industrial school; and
- (2) In the second or any subsequent case of non-compliance with the order, the court may order the child to be sent to a certified day industrial school, or if it appears to the court that there is no such school suitable for the

<sup>1</sup> Now 20s. See **Police Court Procedure**, page 190.

child, then to a certified industrial school, and may further, in its discretion, inflict any such penalty as aforesaid, or it may for each such non-compliance inflict any such penalty as aforesaid without ordering the child to be sent to an industrial school;

Provided that a complaint under this section with respect to a continuing non-compliance with any attendance order shall not be repeated by the local authority at any less interval than two weeks.<sup>1</sup>

A child shall be sent to a certified industrial school, or certified day industrial school, in pursuance of this section in like manner as if sent in pursuance of the Industrial Schools Act, 1866, and when so sent shall be deemed to have been sent in pursuance of that Act and the Acts amending the same; and the parent, if liable under the said Acts to contribute to the maintenance and training of his child when sent to an industrial school, shall be liable so to contribute when his child is sent in pursuance of this section.<sup>2</sup>

<sup>1</sup> **Police Court Procedure**, page 190; and **Compulsory School Attendance**, page 57.

<sup>2</sup> **Industrial Schools**, page 126.

*Duty of Local Authority as to taking Proceedings under this Act or 29 and 30 Vict. c. 118.*

13. Where the local authority<sup>1</sup> are informed by any person of any child in their jurisdiction who is stated by that person to be liable to be ordered by a court under this Act to attend school,<sup>2</sup> or to be sent under this Act, or the Industrial Schools Act, 1866, to an industrial school,<sup>3</sup> it shall be the duty of the local authority to take proceedings under this Act or the Industrial Schools Act, 1866, accordingly, unless the local authority think that it is inexpedient to take such proceedings: Provided that nothing in this section shall relieve the local authority from the responsibility of performing their duty under the other provisions of this Act.

<sup>1</sup> **Local Education Authority**, page 157.

<sup>2</sup> **Compulsory School Attendance**, page 57; **Police Court Procedure** page 190.

<sup>3</sup> **Industrial Schools**, page 126.

#### INDUSTRIAL SCHOOL.

*Licence to Child sent to Industrial School to live out while attending School.*

14. Where a child is sent to a certified industrial school under this Act or the Industrial Schools Act, 1866, upon the complaint or representation of the local authority under this Act, the managers of such school may, if they think fit, at any time after the expiration of one month after the child is so sent, give him a



licence under section twenty-seven of the Industrial Schools Act, 1866, to live out of the school, but the licence shall be conditional upon the child attending as a day scholar, in such regular manner as is specified in the licence, some school willing to receive him and named in the licence, and being a certified efficient school.<sup>1</sup>

<sup>1</sup> **Industrial Schools**, page 126.

*Amendment as to Provision of Industrial School by School Board.*

15. The consent of one of Her Majesty's Principal Secretaries of State, and not of the Education Department, shall be required for the establishing, building, and maintaining of a certified industrial or certified day industrial school by a school board,<sup>1</sup> and to the spreading of the payment of the expense of such establishment and building over a number of years . . . and to the borrowing of money for that purpose; and for the purpose of such borrowing sec. 10 of the Elementary Education Act, 1873, shall be held to apply to the loan in like manner as if one of Her Majesty's Principal Secretaries of State were substituted therein for the Education Department, and such establishment and building shall be deemed to be a work for which the school board is authorised to borrow within the meaning of the First Schedule to the Public Works Loans Act, 1875.<sup>2</sup>

NOTE.—The words “not exceeding fifty” repealed by the Act of 1902.

<sup>1</sup> **Industrial Schools**, page 126.

<sup>2</sup> **Loans**, page 152.

DAY INDUSTRIAL SCHOOL.

*Establishment, etc., of Day Industrial School.*

16. If a Secretary of State is satisfied that, owing to the circumstances of any class of population in any school district, a school in which industrial training, elementary education, and one or more meals a day, but not lodging, are provided for the children, is necessary or expedient for the proper training and control of the children of such class, he may, in like manner as under the Industrial Schools Act, 1866, certify any such school (in this Act referred to as a day industrial school) in the neighbourhood of the said population to be a certified day industrial school.

Any child authorised by the Industrial Schools Act, 1866, to be sent to a certified industrial school, may, if the court before whom the child is brought think it expedient, be sent to a certified day industrial school; any child sent to a certified day industrial school by an order of a court (other than an attendance order under this Act) may during the period specified in the order be there detained during such hours as may be authorised by the rules of the school approved by the said Secretary of State.

A certified day industrial school shall be deemed to be a certified efficient school within the meaning of this Act.

In the case of a certified day industrial school—

- (1) A prison authority within the meaning of the Industrial Schools Act, 1866, and a school board shall respectively have the same powers in relation to a certified day industrial school as they have in relation to a certified industrial school; and
- (2) There may be contributed out of moneys provided by Parliament towards the custody, industrial training, elementary education, and meals of children sent by an order of a court other than an attendance order under this Act to a certified day industrial school such sums not exceeding one shilling per head per week, and on such conditions as a Secretary of State from time to time recommends; and
- (3) Where a court of summary jurisdiction orders otherwise than by an attendance order under this Act a child to be sent to a certified day industrial school, the court shall also order the parent of such child, if liable to maintain him, to contribute to his industrial training, elementary education, and meals in the school such sum not exceeding two shillings per week as is named in the order; it shall be the duty of the local authority to obtain and enforce the said order, and every sum paid under the order shall be paid over to the local authority in aid of their expenses under this Act; if a parent resident in any parish is unable to pay the sum required by the said order to be paid, he shall apply to the guardians having jurisdiction in the parish, who, if satisfied of such inability, shall give the parent sufficient relief to pay the said sum, or so much thereof as they consider him unable to pay, and the money so given shall be charged to the parish as provided by this Act in the case of money given for the payment of school fees; and
- (4) The managers of a certified day industrial school may, upon the request of a local authority and of the parent of a child, and upon the undertaking of the parent to pay towards the industrial training, elementary education, and meals of such child such sum, not less than one shilling a week, as a Secretary of State from time to time fixes, receive such child into the school under an attendance order or without an order of a court; and there may be contributed out of moneys provided by Parliament in respect of that child such sum not exceeding sixpence a week, and on such conditions as a Secretary of State from time to time recommends.

It shall be lawful for Her Majesty from time to time, by Order in Council, to apply to a certified day industrial school the provisions of the Industrial Schools Act, 1866, and the Acts amending the same, with such modifications as appear to Her Majesty to be necessary or proper for adapting such provisions to a day industrial school, and bringing them into conformity with this Act; and such order may provide that a child may be punished for an offence by being sent to a certified industrial in lieu of a certified reformatory school, or may otherwise mitigate any punishment imposed by the said Act.

It shall be lawful for Her Majesty from time to time, by Order in Council, to revoke and vary any Order in Council made under this section.

Every such order shall be laid before both Houses of Parliament within one month after it is made, if Parliament be then sitting, or if not, within one month after the beginning of the then next session of Parliament, and while in force shall have effect as if it were enacted in this Act.

A Secretary of State may from time to time make, and when made revoke or vary, the forms of orders for sending a child to a day industrial school, and the manner in which children are to be sent to such school.

If a Secretary of State is of opinion that, by reason of a change of circumstances or otherwise, a certified day industrial school ceases to be necessary or expedient for the proper training and control of the children of any class of population in the neighbourhood of that school, he may, after due notice, withdraw the certificate of the school, and thereupon such school shall cease to be a certified day industrial school.

Provided that the reasons for withdrawing such certificate shall be laid before both Houses of Parliament within one month after notice of the withdrawal is given, if Parliament be then sitting, or if not, within one month after the then next meeting of Parliament.<sup>1</sup>

<sup>1</sup> **Industrial Schools**, page 126.

*Conditions of Contribution to Day Industrial Schools.*

17. The conditions of a Parliamentary contribution to a certified day industrial school, to be recommended by the Secretary of State, shall provide for the examination of the children according to the standards of proficiency for the time being in force for the purposes of a Parliamentary grant to public elementary schools; but may vary the amounts of the contributions to be made in respect of such standards respectively.

Any conditions recommended by a Secretary of State for the purposes of contributions to a day industrial school shall be laid before Parliament in the same manner as minutes of the Education Department, relating to the annual Parliamentary grant.<sup>1</sup>

<sup>1</sup> **Industrial Schools**, page 126.

18. Contributions for Fees of Children who Obtain Certificates. Repealed by the Act of 1891.

*Amendment of 33 and 34 Vict. c. 75, sec. 9, as to Conditions of Annual Parliamentary Grant.*

19. Limitation of Grant. First paragraph repealed by Statute Law Revision Act, 1883.

After the thirty-first day of March one thousand eight hundred and seventy-seven, the conditions required to be fulfilled by an elementary school in order to obtain the annual Parliamentary grant shall provide that—

- (1) Limitation of Grant. Repealed by the Act of 1897.
- (2) Where the population of the school district in which the school is situate, or the population within two miles, measured according to the nearest road, from the school is less than three hundred, and there is no other public elementary school recognised by the Education Department as available for the children of that district, or that population (as the case may be), a special Parliamentary grant may be made annually to that school to the amount, if the said population exceeds two hundred, of ten pounds, and, if it does not exceed two hundred, of fifteen pounds; and
- (3) The said special grant shall be in addition to the ordinary annual Parliamentary grant, and shall not be included in the calculation of that grant for the purpose of determining whether it does or does not exceed the amount before in this section mentioned.<sup>1</sup>

See sec. 2, Act of 1890.

<sup>1</sup> **Grants (Government)**, page 111.

#### *Conditions for Obtaining Parliamentary Grant.*

20. The conditions required to be fulfilled by schools in order to obtain annual Parliamentary grants shall provide that the income of the schools shall be applied only for the purpose of public elementary schools.<sup>1</sup>

<sup>1</sup> **Public Elementary Schools**, page 193.

#### BYE-LAWS.

21. School Attendance Committees to have the like power with School Boards of enforcing by bye-laws attendance of children. Repealed by the Act of 1902.

22. Provision as to Requisition of Parish. Repealed by Sec. 6 of the Act of 1880, *post*. Sec. 2 of the same Act abolishes need of requisition.



*Provision as to Bye-laws under Sec. 74 of the Elementary Education Act, 1870 (33 and 34 Vict. c. 75), as extended by this Act.*

23. . . . It shall be the duty of every local authority<sup>1</sup> to enforce the bye-laws<sup>2</sup> made by that authority in pursuance of Sec. 74 of the Elementary Education Act, 1870.

NOTE.—The first part of this section is repealed by the Act of 1902.

<sup>1</sup> **Local Education Authority**, page 157.    <sup>2</sup> **Bye-laws**, page 40.

#### ADMINISTRATIVE PROVISIONS.

*Supplemental Provisions as to Certificates of Proficiency and Previous Attendance at School.*

24. The certificates of proficiency of a child in reading, writing, and elementary arithmetic, and of the previous due attendance of a child at a certified efficient school for the purposes of this Act, shall be certificates of proficiency and previous due attendance ascertained according to the standards set forth in the First Schedule to this Act, and such certificate shall be granted to the child entitled to the same free of cost or charge to such child, or to the parent of such child.

The Education Department may from time to time by order make, and when made revoke and vary, regulations with respect to certificates of age for the purposes of this Act and the persons by whom and the form in which certificates of the said proficiency and due attendance are to be granted, and with respect to other matters relating thereto, and with respect to the preservation of registers and other records of such proficiency and attendance, and such regulations shall be observed by the local authority and the managers of certified efficient schools.

All regulations made by the Education Department under this section shall be laid before Parliament in the same manner as minutes of the Education Department relating to the annual Parliamentary grant.<sup>1</sup>

<sup>1</sup> **Certificates of Age and Proficiency**, page 48.

#### *Certificates of Birth for Purposes of Act.*

25. Where the age of any child is required to be ascertained or proved for the purposes of this Act, or for any purpose connected with the elementary education or employment in labour of such child, any person on presenting a written requisition in such form and containing such particulars as may be from time to time prescribed by the Local Government Board, and on payment of such fee, not exceeding one shilling, as the Local Government Board from time to time fix, shall be entitled to obtain a certified copy under the hand of the registrar or superintendent

registrar of the entry in the register under the Births and Deaths Registration Acts, 1836 to 1874, of the birth of the child named in the requisition.<sup>1</sup>

<sup>1</sup> **Certificate of Birth.** page 48: also **Certificates of Age and Proficiency,** page 48.

*Returns of Registrars of Births and Deaths to School Boards.*

26. Every registrar of births and deaths, when and as required by a local authority, shall transmit, by post or otherwise, a return of such of the particulars registered by him concerning deaths and births of children as may be specified in the requisition of the local authority.

The local authority may supply a form, approved by the Local Government Board, for the purpose of the return, and in that case the return shall be made in the form so supplied.

The local authority may pay, as part of their expenses under this Act, to the registrar making such return such fee as may be agreed upon between them and the registrar, not exceeding two-pence for every birth and death entered in such return.

27. Provision in case of local authority to perform their duty under this Act. Repealed by the Act of 1902. For substituted provision see Sec. 16 of that Act.

*Officers of Local Authority.*

28. Every local authority, . . . . shall direct one or more of their officers, . . . . to act in the execution of this Act, and of any bye-laws in force within the jurisdiction of such authority, and may, if they think fit, pay him or them for so doing, and may, if need be, appoint and pay officers for the purpose.<sup>1</sup>

NOTE.— . . . . Words having reference to School Attendance Committees, etc. Repealed by the Act of 1902.

<sup>1</sup> **Attendance Officers,** page 29.

*Power of Officer of Local Authority to Enter Place of Employment.*

29. If it appear to any justice of the peace, on the complaint of an officer of the local authority acting under this Act, that there is reasonable cause to believe that a child is employed in contravention of this Act in any place, whether a building or not, such justice may by order under his hand empower an officer of the local authority to enter such place at any reasonable time within forty-eight hours from the date of the order, and examine such place and any person found therein touching the employment of any child therein.

Any person refusing admission to an officer authorised by an order under this section, or obstructing him in the discharge of

his duty, shall for each offence be liable on summary conviction to a penalty not exceeding twenty pounds.<sup>1</sup>

<sup>1</sup> **Employment of Children**, page 80.

30. Provisions as to Powers and Expenses of School Board.  
Repealed by the Act of 1902.

31. Expenses of Local Authority other than School Board.  
Repealed by the Act of 1902.

32. Provisions as to School Attendance Committees, etc.  
Repealed by the Act of 1902.

*Power to Authorise Appointment of School Attendance Committee by Urban Sanitary Authority.*

See Note at end relative to repeal of this section.

33. On the application of the urban sanitary authority of an urban sanitary district which is not and does not comprise a borough, and which is co-extensive with any parish or parishes not within the jurisdiction of a school board, containing according to the last published census for the time being a population of not less than five thousand, the Education Department may by order authorise the sanitary authority of that district to appoint, and thereupon such authority may appoint a school attendance committee, as if they were the council of a borough, and that committee, to the exclusion of the school attendance committee appointed by the guardians, shall enforce the provisions of this Act in the sanitary district, and be in that district the local authority for the purposes of this Act, and all the provisions of this Act shall apply accordingly as if the sanitary authority were the council of a borough.

Provided that the expenses (if any) of a school attendance committee appointed by an urban sanitary authority shall be paid out of a fund to be raised out of the poor rate of the parish or parishes comprised in the district of such authority, according to the rateable value of each parish, and the urban sanitary authority shall, for the purpose of obtaining payment of such expenses, have the same power as a board of guardians have for the purpose of obtaining contributions to their common fund under the Acts relating to the relief of the poor, and the accounts of such expenses shall be audited as the accounts of other expenses of the sanitary authority.

Any bye-laws in force in an urban sanitary district, or any part thereof, before the appointment of a school attendance committee by the sanitary authority of such district, shall continue in force, subject nevertheless to be revoked or altered by the school attendance committee of the sanitary authority in pursuance of section seventy-four of the Elementary Education Act, 1870, as amended by this Act.

Where an urban sanitary district is not and does not comprise a borough, and is not wholly within the jurisdiction of a school board, and is not within the foregoing provisions of this section, the urban sanitary authority of that district may from time to time appoint such number as the Education Department allow, not exceeding three, of their own members to be members of the school attendance committee for the union in which the district or the part thereof not within the jurisdiction of a school board is situate, and such members, so long as they are members of the sanitary authority, and their appointment is not revoked by that authority, shall be members of the school attendance committee, and have the same powers and authorities as if they had been appointed by the guardians.

Where a school board is appointed after the commencement of this Act for any parish which forms or comprises the whole or part of an urban sanitary district in which the school attendance committee is appointed by the urban sanitary authority, such school attendance committee shall, at the expiration of two months after the election of the school board, cease to act for the urban sanitary district, and the school attendance committee appointed by the guardians shall be the local authority for so much of the urban sanitary district as is not under the school board.

All bye-laws in force at the expiration of the said two months shall continue in force, subject to being revoked or altered by the local authority, in pursuance of section seventy-four of the Elementary Education Act, 1870, as amended by this Act.

NOTE.—Sec. 33 repealed, except as applied by Act of 1902.

34. Clerk of School Attendance Committee of Guardians, etc. Repealed by the Act of 1902.

#### *Charge to Parish of Money for School Fees.*

35. Money given under this Act for the payment of school fees for any child of a parent who is not a pauper and is resident in any parish shall be charged by the guardians having jurisdiction in such parish to that parish with other parochial charges.

36. Effect of subsequent Appointment of School Board. Repealed by the Act of 1902.

#### LEGAL PROCEEDINGS.

*Application of 36 and 37 Vict. c. 86, secs. 23—5, to Penalties, and Punishment for fraudulently obtaining Payment of Fees.*

37. Sections 23, 24, and 25 of the Elementary Education Act, 1873 (which provisions relate to legal proceedings and the forgery of certificates), shall so far as applicable apply in the cases of offences and penalties under this Act, and proceedings for such



offences and penalties and of certificates for the purposes of this Act, in like manner as if those sections were enacted in this Act and in terms made applicable thereto.

And every person who shall fraudulently obtain or enable or procure any other person to obtain from any school board . . . . payment, or remission of payment, or an order for payment, or remission of payment of any school fees, shall be liable on summary conviction to imprisonment for a period not exceeding fourteen days.<sup>1</sup>

An order which a court of summary jurisdiction have authority to make in pursuance of this Act may be made in manner provided by the Summary Jurisdiction Acts.

NOTE.—. . . The words “or local authority” repealed by the Act of 1902.

*No Prosecutions except with the Authority of two Members of a School Board or Local Authority.*

38. No legal proceedings for non-attendance or irregular attendance at school shall be commenced in a court of summary jurisdiction, by any person appointed to carry out the compulsory bye-laws of a school board . . . . except by the direction of not less than two members of a school board . . . .

NOTE.—. . . The words “or local authority” and “or school attendance committee” repealed by the Act of 1902.

See still further modification in Third Schedule (3), Act of 1902.

<sup>1</sup> **Police Court Procedure**, page 190.

*Exemption of Employer on Proof of Guilt of some other Person.*

39. Where the offence of taking a child into employment in contravention of this Act is in fact committed by an agent or workman of the employer, such agent or workman shall be liable to a penalty as if he were the employer.

Where a child is taken into employment in contravention of this Act on the production by or with the privity of the parent of a false or forged certificate, or on the false representation of his parent that the child is of an age at which such employment is not in contravention of this Act, that parent shall be liable to a penalty not exceeding forty shillings.

Where an employer charged with taking a child into his employment in contravention of this Act proves that he has used due diligence to enforce the observance of this Act, and either that some agent or workman of his employed the child without his knowledge or consent, or that the child was employed either on the production of a forged or false certificate and under the belief in good faith in the genuineness and truth of such certificate, or on representation by his parent that the child was of an age

at which his employment would not be in contravention of this Act and under the belief in good faith in such representation, the employer shall be exempt from any penalty.

Where an employer satisfies the local authority, inspector, or other person about to institute a prosecution that he is exempt under this section by reason of some agent, workman, or parent being guilty, and gives all facilities in his power for proceeding against and convicting such agent, workman, or parent, such authority, inspector, or person shall institute proceedings against such agent, workman, or parent, and not against the employer.<sup>1</sup>

<sup>1</sup> **Employment of Children**, page 80.

#### MISCELLANEOUS.

##### *Adaptation of 36 and 37 Vict. c. 86, sec. 3, respecting Pauper Children to this Act.*

40. Whereas by sec. 3 of the Elementary Education Act, 1873, provision is made respecting the payment by guardians of the fees of pauper children, and with the view to adapt the said section to the provisions of this Act it is expedient to substitute for the said section the enactment following: Be it therefore enacted as follows:

Where relief out of the workhouse is given by the guardians or their order, by way of weekly or other continuing allowance to the parent of any child above the age of five years who has not reached the standard in reading, writing, and arithmetic prescribed by standard three of the Code of one thousand eight hundred and seventy-six, or who for the time being either is prohibited by this Act from being taken into full-time employment, or is required by any bye-law under section seventy-four of the Elementary Education Act, 1870, as amended by this Act, to attend school, or to any such child, it shall be a condition for the continuance of such relief that elementary education in reading, writing, and arithmetic shall be provided for such child, and the guardians shall give such further relief (if any) as may be necessary for that purpose.

Any such relief to a parent as above mentioned shall not be granted on condition of the child attending any public elementary school other than such as may be selected by the parent, nor refused because the child attends or does not attend any particular public elementary school.

The guardians shall not have power under this section to give any relief to a parent in order to enable such parent to pay more than the ordinary fee payable at the school which he selects, or more than the fee which under this Act they can enable a parent to pay in any other case.

All relief given by guardians under this section shall be deemed to be relief within the meaning of the Acts relating to the relief

of the poor, and shall be paid out of their common fund, and where given by the guardians of any union in the metropolis as defined by the Metropolitan Poor Act, 1867, shall be deemed to be expenses payable from the Metropolitan Common Poor Fund within the meaning of section 69 of that Act, and shall be repaid to such guardians accordingly.<sup>1</sup>

<sup>1</sup> **Pauper Children**, page 186.

41. Dissolution of School Board under certain circumstances. Repealed by the Act of 1902.

42. Provision of Offices by School Board, etc. Repealed by the Act of 1902.

43. Local Authority to send Returns. Repealed by the Act of 1902.

44. Elections to fill Casual Vacancies in School Boards. Repealed by the Act of 1902.

*Application of 33 and 34 Vict. c. 75, secs. 83 and 84, to Orders and Documents of Education Department.*

45. The provisions of the Elementary Education Act, 1870, with respect to orders and documents of the Education Department, shall apply to all orders and documents of the Education Department under this Act.

*Effect of Schedules.*

46. The schedules to this Act shall have effect as if they were enacted in the body of this Act.

*Definition of Employment in Case of Parent.*

47. A parent of a child who employs such child in any labour exercised by way of trade, or for the purposes of gain, shall be deemed for the purposes of this Act to take such child into his employment.<sup>1</sup>

<sup>1</sup> **Employment of Children**, page 80.

*General Definitions.*

48. A child in this Act means a child between the ages of five and fourteen years.

Terms in this Act shall, so far as is consistent with the tenor thereof, have the same meaning as in the Elementary Education Acts, 1870 and 1873.

The term "certified efficient school" in this Act means a public elementary school, and any workhouse school certified to be efficient by the Local Government Board, and any public or State-aided elementary school in Scotland, and any national school in Ireland, and also any elementary school which is not conducted for private profit, and is open at all reasonable times

to the inspection of Her Majesty's Inspectors, and requires the like attendance from its scholars as is required in a public elementary school, and keeps such registers of those attendances as may be for the time being required by the Education Department, and is certified by the Education Department to be an efficient school.

The term "Factory Acts" in this Act, where the Factory Act of any particular year is not referred to, means . . . \* any Acts for the time being in force regulating factories and workshops.

The term "Secretary of State" means one of Her Majesty's principal Secretaries of State.

\*NOTE.—References to other Acts, repealed by the Factory and Workshop Act, 1878. The Factory and Workshop Act, 1901, is now the statute in force.

49. Provision as to Part of a Parish. Repealed by the Act of 1902.

### *Construction of this Act with other Enactments.*

50. Where any act, neglect, or default is punishable under this Act and also under any other enactment, or any bye-law made by a school board or other local authority for the time being in force, proceedings may be instituted in respect of such act, neglect, or default under this act or such other enactment or bye-law, in the discretion of the authority or person instituting the proceedings, so that proceedings under one enactment or bye-law only be instituted in respect of the same act, neglect, or default; and any bye-law made either before or after the commencement of this Act, by any school board or other local authority under sec. 74 of the Elementary Education Act, 1870, if otherwise valid, shall not be rendered invalid by reason that it is more stringent than the provisions of this Act; and nothing in this Act shall prejudice the effect of or derogate from any provision relating to the committal of children to industrial schools or the employment of children contained in any previous Act of Parliament which may be more stringent in its provisions than this Act.<sup>1</sup>

<sup>1</sup> Bye-laws. page 40; Police Court Procedure. page 190.

51. Temporary Modification as to Application of Act, etc. Repealed by sec. 6 of the Act of 1880, *post*.

52. Repeal of Acts. Repealed by sec. 6 of the Act of 1880, *post*.

## PART II.

### *Application of the Act to Scotland.*

53. In the application of this Act to Scotland the following provision shall have effect:



The provisions of this Act with respect to the conditions to be fulfilled by schools in order to obtain an annual Parliamentary grant shall apply to Scotland.

## SCHEDULES.

### FIRST SCHEDULE.

STANDARDS OF PROFICIENCY IN READING, WRITING, AND ELEMENTARY ARITHMETIC, AND PREVIOUS DUE ATTENDANCE AT SCHOOL.

#### *For the Purpose of Employment.*

1. The standard of proficiency in reading, writing, and elementary arithmetic for the purpose of a certificate under this Act enabling a child to be employed shall be—

(a) The standard of reading, writing, and elementary arithmetic fixed by standard four of the Code of 1876, or any higher standard.

2. The standard of previous due attendance at a certified efficient school for the purpose of a certificate under this Act enabling a child to be employed shall be two hundred and fifty\* attendances after five years of age in not more than two schools during each year for five years, whether consecutive or not.

3. Having Reference to Standards. Repealed by Sec. 6 of 43 and 44 Vict. c. 23, *post*.

4. Payment of Fees, etc. Repealed by Act of 1891.

5. Payment of Fees, etc. Repealed by Act of 1891.

6. Payment of Fees, etc. Repealed by Sec. 6 of 43 and 44 Vict. c. 23, *post*.

NOTE.—In some districts the local bye-laws do not recognise previous attendance for full-time or partial exemption.

See Notes to Sec. 5 of this Act; also Sec. 9.

See Regulations, Board of Education (March 21st, 1901, page 510).

See **Bye-laws**, page 40; and **Law of School Attendance**, page 148.

7. The Education Department may from time to time by order make, and when made revoke and vary, such regulations and conditions in relation to the payment of fees under this Act by that Department as they may think expedient.†

\* Three hundred and fifty attendances are now substituted by Sec. 7, of Act of 1900.

† These rules (7 to 10) are now obsolete.

8. The order shall provide that not more than ten per cent of the children presented for examination in a public elementary school shall obtain in the same year certificates entitling them to the payment of fees, and that if the children qualified to obtain such certificates exceed the said percentage, those children who have attended the greatest number of times shall have the preference.

9. The order may make the continuance of the payment dependent upon the fulfilment of conditions, and shall provide that the continuance of the payment shall be conditional upon the child attending the school for not less than three hundred and fifty attendances in each year, and obtaining at the end of each year a certificate of proficiency in reading, writing, and elementary arithmetic according to a standard higher than the standard according to which it obtained the previous certificate.

10. The order shall further provide that the school, by previous due attendance at which the child was qualified for obtaining the payment of fees, and the school, the fees at which are paid by the Education Department, shall be a school or department of a school at which the ordinary payment in respect of the instruction of each scholar does not exceed sixpence a week.

#### *Miscellaneous.*

11. Attendance for the purpose of this schedule means an attendance as defined by the Code of 1876, and where the attendance is at a certified day industrial school includes such attendance as may be from time to time directed for the purpose by a Secretary of State, and where the attendance is at a workhouse school includes such attendance as may be from time to time directed for the purpose by the Local Government Board.

12. The Code of 1876 in this schedule means the Code of the Minutes of the Education Department made in the year one thousand eight hundred and seventy-six with respect to the Parliamentary grant to public elementary schools in England, and in the case of a school in Scotland means the Code of the Minutes of the Scotch Education Department made in the year one thousand eight hundred and seventy-six with respect to the Parliamentary grant to elementary schools.

### SECOND SCHEDULE.

Rules as to Local Committees. Repealed by the Act of 1902.

### THIRD SCHEDULE.

Rules as to Election of School Board. Repealed by the Act of 1902.

## FOURTH SCHEDULE.\*

*Acts Repealed.*

| Session and Chapter. | Short Title.                                  | Extent of Repeal.  |
|----------------------|---|--|
| 30 & 31 Vict. c. 146 | The Workshop Regulation Act, 1867.            | Sections fourteen and fifteen.   |
| 33 & 34 Vict. c. 75  | The Elementary Education Act, 1870.           | Section twenty-five, so much of section seventy-four, and of any bye-law made thereunder, as is affected by the repeal of section twenty-five, and the rule numbered fifteen in the first part of the Second Schedule, and the rule numbered six in the third part of the Second Schedule. |
| 36 & 37 Vict. c. 37  | The Agricultural Children Act, 1873.          | The whole Act.   |
| 36 & 37 Vict. c. 86  | The Elementary Education Act, 1873.           | Section three.   |
| 37 & 38 Vict. c. 88  | The Births and Deaths Registration Act, 1874. | Section twenty-nine.   |

\* Schedule 4 was repealed by the Statute Law Revision Act, 1883.

ELEMENTARY EDUCATION (INDUSTRIAL SCHOOLS)  
ACT, 1879.

(42 AND 43 VICT. C. 48.)

*An Act to amend the Law respecting the Powers of School Boards  
in Relation to Industrial Schools.*

WHEREAS under the Elementary Education Acts, 1870 and 1873, and the Elementary Education Act, 1876, a school board have power, with the consent of one of Her Majesty's principal Secretaries of State, to establish, build, and maintain industrial schools, and to spread the payment of the expense of such establishment and building over a number of years not exceeding fifty, and to borrow money for that purpose:

And whereas a school board, under the said Acts, have the same power as is given to a prison authority by section twelve of the Industrial Schools Act, 1866, to contribute money towards the alteration, enlargement, or re-building of an industrial school, or towards the establishment or building of an industrial school, or towards the purchase of land required for the use or for the site of an industrial school:

And whereas under the Reformatory and Industrial Schools Act Amendment Act, 1872, section 12 of the Industrial Schools Act, 1866, is extended to authorise the prison authority themselves to undertake anything towards which they are authorised by that section to contribute:

And whereas doubts have arisen whether a school board have power to undertake themselves anything towards which they are authorised as above mentioned to contribute, or have power to spread the payment of the amount of any such contribution, or of the cost of any such undertaking, over a number of years, and to borrow money for that purpose, and it is expedient to remove such doubts:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

*Short Title.*

1. This Act may be cited as the Elementary Education (Industrial Schools) Act, 1879.

*This Act and the Elementary Education Acts, 1870 and 1873, and the Elementary Education Act, 1876, may be cited together as the Elementary Education Acts, 1870 to 1879. Repealed by the Statute Law Revision Act, 1894.*



*Extension to School Board.*

2. A school board shall have power themselves to undertake anything towards which they are authorised by the Industrial Schools Act, 1866, as applied by the Elementary Education Acts, 1870 and 1873, and the Elementary Education Act, 1876, or any of them, to contribute, subject nevertheless to the like consent as is required in the case of any such contribution.

*Power of School Board to Borrow for Contribution towards, or undertaking Cost of Enlarging, etc., an Industrial School.*

3. Where a school board resolve to contribute any sum of money towards, or to undertake the cost of the alteration, enlargement, or re-building, but not of the furnishing, of an industrial school, or the establishment or building, but not of the furnishing, of a school intended to be an industrial school, or the purchase of land required either for the use of an existing industrial school, or for the site of a school intended to be an industrial school, such school board, with the consent of one of Her Majesty's principal Secretaries of State, shall have the same power of spreading the payment of the sums so contributed, or of the cost of such undertaking, over a number of years, and of borrowing money for that purpose, as they have in the case where they resolve to establish an industrial school; and the provisions of the Elementary Education Acts, 1870 and 1873, and the Elementary Education Act, 1876, and the Public Works Loans Act, 1875, shall apply accordingly.

For the purposes of this Act an industrial school means a certified industrial school and a certified day industrial school.<sup>1</sup>

<sup>1</sup> **Industrial Schools**, page 120; and **Loans**, page 152.

*Power of Guardians to Contribute to Maintenance of Child in Industrial School.*

4. Where a child is ordered upon complaint made by a school attendance committee to be sent to a certified industrial school, the council, guardians, or sanitary authority appointing such committee shall have, on the recommendation of the committee, the same power of contributing toward the maintenance of such child in the said school as if they were a school board, and the contribution by such guardians shall require the like consent as is required under sec. 31 of the Elementary Education Act, 1876, to any other expense incurred by a school attendance committee.

The expenses of any such contribution shall be paid in like manner as the expenses of the school attendance committee, on whose recommendation the contribution is made, are paid in pursuance of the Elementary Education Act, 1876.

## THE ELEMENTARY EDUCATION ACT, 1880.

(43 AND 44 VICT. C. 23.)

*An Act to make further Provision as to Bye-laws respecting the Attendance of Children at School under the Elementary Education Acts.*  
26th August, 1880.

*Whereas a school attendance committee within the meaning of the Elementary Education Act, 1876, are authorised to make bye-laws respecting the attendance of children at school under section 74 of the Elementary Education Act, 1870, as if such school attendance committee were a school board, but a school attendance committee for a union cannot make bye-laws respecting any parish in their union, except on the requisition of the parish; and it is expedient to make further provision for the making of bye-laws respecting the attendance of children at school:*

*And whereas it is expedient otherwise to amend the Elementary Education Act, 1876, in respect of bye-laws (repealed by the Statute Law Revision Act, 1894):*

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

*Short Title and Construction.*

1. This Act may be cited as the Elementary Education Act, 1880, and shall be construed as one with the Elementary Education Act, 1876 (*and that Act and this Act may be cited together as the Elementary Education Acts, 1876 and 1880—Repealed by the Statute Law Revision Act, 1894*).

*Obligation to make Bye-laws as to the Attendance of Children at School.*

2. It shall be the duty of the local authority (within the meaning of the Elementary Education Act, 1876) of every school district in which bye-laws respecting the attendance of children at school under section 74 of the Elementary Education Act, 1870, are not at the passing of this Act in force, forthwith to make bye-laws under that section for such district.

If at any time (*after the thirty-first day of December one thousand eight hundred and eighty*) it appears to the Education Department that in any school district there are no bye-laws under that section in force, the Education Department may either proceed under section 27 of the Elementary Education Act, 1876 (which relates to a local authority who fail to fulfil

their duty under that Act), or may make bye-laws respecting the attendance of children at school in that district, and the bye-laws so made shall have effect and be enforced and be subject to revocation and alteration as if they had been made by the local authority for that district and sanctioned by the Education Department in pursuance of section 74 of the Elementary Education Act, 1870: (*Provided that where in a school district in which bye-laws are not in force a bye-law is made in pursuance of this section, that bye-law shall not prevent a child who, at the date of the bye-law taking effect, is employed in accordance with the Elementary Education Act, 1876, from continuing to be so employed.* Repealed by the Statute Law Revision Act, 1894).

**Bye-laws.** page 40.

3. Power of School Attendance Committee to make Bye-laws. Repealed by the Act of 1902.

#### *Enforcing of Bye-laws.*

4. Every person who takes into his employment a child of the age of ten\* and under the age of thirteen\* years resident in a school district, before that child has obtained a certificate of having reached the standard of education fixed by a bye-law in force in the district for the total or partial exemption of children of the like age from the obligation to attend school, shall be deemed to take such child into his employment in contravention of the Elementary Education Act, 1876, and shall be liable to a penalty accordingly.

Proceedings may, in the discretion of the local authority, or person instituting the same, be taken for punishing the contravention of a bye-law, notwithstanding that the act or neglect or default alleged as such contravention constitutes habitual neglect to provide efficient elementary education for a child within the meaning of section 11 of the Elementary Education Act, 1876.<sup>1</sup> (*Provided that nothing in this section shall prevent an employer from employing any child who is employed by him or by any other person at the time of the passing of this Act, and who attends school in accordance with the provisions of the Factory and Workshop Act, 1878.*—Repealed by the Statute Law Revision, Act, 1894).

<sup>1</sup> **Compulsory School Attendance**, page 57; **Employment of Children**, page 80; **Law of School Attendance**, page 148.

#### *Amendment of 39 and 40 Vict. c. 79, sec. 40, as to Education being Condition of Relief to Parents of Children.*

5. Notwithstanding anything contained in section 40 of the Elementary Education Act, 1876, a child shall not, as a condition

\* Now twelve and fourteen.

of the continuance of relief out of the workhouse being continued to him or his parent, be required to attend school further or otherwise than he is required to attend by a bye-law in force under section 74 of the Elementary Education Act, 1870, as amended by the Elementary Education Act, 1876, and this Act, in the school district in which he is resident: Provided that this section shall not apply where there is no such bye-law in force in the school district.<sup>1</sup>

<sup>1</sup> **Pauper Children**, page 186.

*Repeal. 39 and 40 Vict. c. 79.*

6. *The Elementary Education Act, 1876, shall be repealed to the extent and from the time in the third column of the schedule to this Act mentioned, without prejudice to anything previously done or suffered, or any order previously made, or any right or title or liability acquired, accrued, or incurred in pursuance of any enactment hereby repealed; and any such thing, order, right, and title and liability may be enforced, and any proceeding then pending for such enforcement may be carried on, as if such enactment had not been repealed.*—Repealed by the Statute Law Revision Act, 1894.

#### SCHEDULE.\*

##### *Enactments Repealed.*

| Session and Chapter. | Short Title.                        | Extent of Repeal.  |
|----------------------|-------------------------------------|--|
| 39 & 40 Vict. c. 79  | The Elementary Education Act, 1876. | <p>In section twenty-one, the words "may if they think fit" and the words "on the requisition of the parish, but not otherwise," as from the passing of this Act.</p> <p>Section twenty-two, as from the passing of this Act.</p> <p>Section fifty-one and fifty-two, as from the passing of this Act.</p> <p>First Schedule, as from the first of January one thousand eight hundred and eighty-one, from "During the four years next after" down to "higher standard required for that year," both inclusive [being paragraph (3)], and from "Provided that in each of the four years next after" down to the end of the table both inclusive (being paragraph 6).</p> |

\* Schedule repealed by the Statute Law Revision Act, 1894.



## THE SCHOOL BOARDS ACT, 1885.

(48 AND 49 VICT. C. 38.)

*An Act to amend the Law relating to School Boards so far as affected by the Incorporation of a Municipal Borough and as respects the Divisions of the Metropolis.*

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

*Provision as to School Boards affected by Incorporation of Municipal Borough.*

1. Whereas by sub-section one of section two hundred and thirteen of the Municipal Corporations Act, 1882, it is enacted as follows:

"Where a petition for a charter is referred to the Committee of Council, and it is proposed by the charter to extend the Municipal Corporation Acts to the municipal borough to be created by the charter, the Committee of Council may settle a scheme for the adjustment of the powers, rights, privileges, franchises, duties, property, and liabilities of any then existing local authority whose district comprises the whole or part of the area of that borough, either with or without any adjoining or other place, and also of any officer of that authority":

And whereas sub-section six of the same section two hundred and thirteen provides that a local authority for the purposes of the above enactment shall mean the authorities therein mentioned, "and any other authority not in this section excepted and not being a school board, and having powers of local government and of rating for public purposes":

And whereas difficulties have arisen respecting the effect of the creation by a charter of a municipal borough, where the whole or part of the area of such borough is comprised in the district of a school board, and it is expedient to authorise the removal of such difficulties by a scheme under the said Act:

Be it therefore enacted as follows:—

(1) The words "and not being a school board" in sub-section six of section two hundred and thirteen of the Municipal Corporations Act are hereby repealed;

A scheme under that section if affecting a school board—

- (a) Shall before being settled by the Committee of Council be referred to the consideration of the Education Department; and
  - (b) Shall not place the new borough under more than one school board; and
  - (c) May provide for the continuance of any bye-laws in force at the date of the scheme.
- (2) Where within seven years before the passing of this Act a charter has extended the Municipal Corporations Act, 1882, or the Acts thereby consolidated to the municipal borough created by the charter, any scheme relating to a school board which might have been made under the said Acts if this Act had passed at the date of the said charter may be made after the passing of this Act, and part eleven of the Municipal Corporations Act, 1882, shall apply accordingly: Provided that—
- (a) Such scheme may be made on the petition either of the council of the said borough or of the persons who composed the school board, or any of them; and
  - (b) The council of the borough may petition against such scheme in accordance with sub-section four of section two hundred and thirteen of the Municipal Corporations Act, 1882; and
  - (c) Any such scheme may validate any acts done by the Education Department or the school board or the council of the borough or any justice since the date of the charter.
- (3) This section shall be in addition to and not in derogation of any powers in relation to school boards for the time being vested in the Committee of the Lords of the Privy Council on Education (who are in this section referred to as the Education Department).

*Division of Lambeth Division of London.*

2. Whereas by the Elementary Education Act, 1870, it was enacted that the School Board for London should consist of such number of members elected by the divisions of the metropolis specified in the fifth schedule to that Act as the Education Department might by order fix, and power was given to the Education Department from time to time to alter by way of increase or decrease the number of members of any of the said divisions, but no power was given to alter the said divisions, and it is expedient to divide the Lambeth division into two divisions:

Be it therefore enacted as follows :

- (1) The Lambeth division of the metropolis for the purpose of the Elementary Education Acts, 1870 and 1873, shall be divided into two divisions, named East Lambeth and West Lambeth, and the fifth schedule to the Elementary Education Act, 1870, shall be construed as if for "Lambeth" there were substituted "East Lambeth" and "West Lambeth."
- (2) The Education Department shall, so soon as may be after the passing of this Act, by order determine the boundaries of the divisions of East Lambeth and West Lambeth for the purposes aforesaid and the number of members to be elected by each of such divisions, subject nevertheless to any subsequent alteration of the number of members in pursuance of the said Acts.
- (3) At the first election of the School Board for London which is held after the passing of this Act members shall be elected for the two divisions constituted by this Act; but nothing in this Act shall affect the School Board for London until such members come into office.

*Short Title and Construction.*

3. This Act may be cited as the School Boards Act, 1885.

This Act, so far as relates to school boards on the incorporation of a municipal borough, shall be construed as one with the Municipal Corporations Act, 1882, and together with that Act may be cited as the Municipal Corporation Acts, 1882 and 1885.

This Act, so far as regards the divisions of the metropolis, shall be construed as one with the Elementary Education Acts, 1870 and 1873, and may be cited together with those Acts as the Elementary Education Acts, 1870 to 1885.

## EDUCATION CODE (1890) ACT, 1890.

(53 AND 54 VICT. C. 22.)

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. Elementary Education not to be a condition of Grant to Evening Schools. Repealed by the Act of 1902.

*Provisions as to Special Grants to Schools.*

2. (1) Where the population of the school district in which a public elementary school is situate, or the population within two miles measured according to the nearest road from the school, is less than five hundred, and there is no other public elementary school recognised by the Education Department as available for the children of that district or that population (as the case may be), a special Parliamentary grant may be made annually to that school to the amount of ten pounds.
- (2) The said special grant shall be in addition to the ordinary annual Parliamentary grant, and in addition to any special Parliamentary grant made under sec. 19 of the Elementary Education Act, 1876 (39 and 40 Vict. c. 79), and shall not be included in the calculation of the ordinary annual Parliamentary grant for the purpose of determining whether it does or does not exceed **any** maximum fixed by law.
- (3) Provided that no school shall be entitled to receive a special grant under this section unless it satisfies the conditions contained in the minutes of the Education Department in force for the time being with regard to special grants under this section.

See Sec. 19, Act of 1876. **Grants (Government).** page 111.

*Short Titles.*

3. (1) This Act may be cited as the Education Code (1890) Act, 1890.
- (2) The Elementary Education Acts, 1870 to 1876, and the Elementary Education Act, 1880, and this Act may be cited collectively as the Elementary Education Acts, 1870 to 1890.



## THE ELEMENTARY EDUCATION ACT, 1891.

(54 AND 55 VICT. C. 56.)

*An Act to make further Provision for Assisting Education in Public Elementary Schools in England and Wales.—(5th August, 1891.)*

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

*Fee Grant and Conditions thereof.*

1. (1) After the commencement of this Act there shall be paid, out of moneys provided by Parliament, and at such times and in such manner as may be determined by regulations of the Education Department, a grant (in this Act called a fee grant) in aid of the cost of elementary education in England and Wales at the rate of ten shillings a year for each child of the number of children over three and under fifteen years of age in average attendance at any public elementary school in England and Wales (not being an evening school) the managers of which are willing to receive the same, and in which the Education Department are satisfied that the regulations as to fees are in accordance with the conditions in this Act.<sup>1</sup>
- (2) If in any case there is a failure to comply with any of the conditions in this Act, and the Education Department are satisfied that there was a reasonable excuse for the failure, the Department may pay the fee grant, but in that case shall, if the amount received from fees has exceeded the amount allowed by this Act, make a deduction from the fee grant equal to that excess.
- (3) For the purposes of section nineteen of the Elementary Education Act, 1876, the fee grant paid or payable to a school shall be reckoned as school pence to be met by the grant payable by the Education Department.

<sup>1</sup> **Free Education.** page 106 : **Fees (School),** page 101 : **Fee Grant,** page 100.

*Limit of Fees in Schools receiving Fee Grant.*

## 2. (1) In any school receiving the fee grant—

(a) Where the average rate of fees received during the school year ended last before the first day of January one thousand eight hundred and ninety-one was not in excess of ten shillings a year for each child of the number of children in average attendance at the school; or

(b) For which an annual Parliamentary grant has not fallen due before the said first day of January;

no fee shall, except as by this Act provided, be charged for children over three and under fifteen years of age.

(2) In any school receiving the fee grant where the said average rate was so in excess, the fees to be charged for children over three and under fifteen years of age shall not, except as by this Act provided, be such as to make the average rate of fees for all such children exceed for any school year the amount of the said excess.

*Prohibition of Charges in certain Schools receiving Fee Grant.*

3. In any school receiving the fee grant, where the average rate charged and received in respect of fees and books, and for other purposes, during the school year ended last before the first day of January one thousand eight hundred and ninety-one, was not in excess of ten shillings a year for each child of the number of children in average attendance at the school, no charge of any kind shall be made for any child over three and under fifteen years of age.<sup>1</sup>

<sup>1</sup> Fees (School), page 101.

*Power to modify Limit of Fees in certain Cases.*

4. (1) Notwithstanding anything hereinbefore contained, the Education Department, if they are satisfied that sufficient public school accommodation, without payment of fees, has been provided for a school district, and that the charge of school fees or the increase of school fees for children over three and under fifteen years of age in any particular school receiving the fee grant is required owing to a change of population in the district, or will be for the educational benefit of the district, or any part of the district, may from time to time approve such charge or increase of fees in that school, provided that the ordinary fee for such children shall not exceed sixpence a week.

(2) The Education Department shall report annually to Parliament all cases in which they have sanctioned or refused the imposition or augmentation of fees under this section, with a statement of the amount of fee permitted.

(3) The Education Department may, if they think fit, make it an express condition of such approval that the amount received for any school year from the fees so charged or increased, or a specified portion of that amount, shall be taken in reduction of the fee grant which would otherwise have been payable for that school year, and in that case the fee grant shall be reduced accordingly.

5. Provision for Free School Accommodation. Repealed by the Act of 1902, which by Third Schedule (5) substitutes the following: "The duty of a local education authority under the Education Acts, 1870 to 1902, to provide a sufficient amount of public school accommodation shall include the duty to provide a sufficient amount of public school accommodation without payment of fees in every part of their area."—(Act of 1902.)

6. Power to Contribute from Fee Grant to Common School Fund. Repealed by the Act of 1902.

7. Grouping of Schools. Repealed by the Act of 1902.

*Explanation of 33 and 34 Vict. c. 75, sec. 17.*

8. Nothing in sec. 17 of the Elementary Education Act, 1870, shall prevent a school board from admitting scholars to any school provided by the board without requiring any fee.

*Provision for Equality of Treatment.*

9. Nothing in this Act shall give any preference or advantage to any school on the ground that it is or is not provided by a school board.

*Meaning of "School Year" and "Average Attendance."*

10. In this Act the expression "school year" shall mean a year or other period for which an annual Parliamentary grant is for the time being paid or payable under the minutes of the Education Department. . . .

Remainder of section repealed by Sec. 8 of the Act of 1900. For new provision see Sec. 1 of that Act.

*Repeal.*

11. The Acts mentioned in the schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule.

*Commencement of Act.*

12. This Act shall come into operation on the first day of September one thousand eight hundred and ninety-one.

*Short Title and Construction.*

13. (1) This Act may be cited as the Elementary Education Act, 1891, and shall be construed as one with the Elementary Education Acts, 1870 to 1890.  
 (2) The Elementary Education Acts, 1870 to 1890, and this Act, may be cited collectively as the Elementary Education Acts, 1870 to 1891.

SCHEDULE.

*Enactments Repealed.*

| Session and Chapter. | Short Title.                        | Extent of Repeal.   |
|----------------------|-------------------------------------|---------------------|
| 33 & 34 Vict. c. 75  | The Elementary Education Act, 1870. | Section twenty-six. |
| 39 & 40 Vict. c. 79  | The Elementary Education Act, 1876. | Section eighteen.   |

ELEMENTARY EDUCATION (BLIND AND DEAF CHILDREN) ACT, 1893.<sup>1</sup>

(56 AND 57 VICT. C. 42.)

*An Act to make better Provision for the Elementary Education of Blind and Deaf Children in England and Wales.—*  
*(September 12th, 1893.)*

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

<sup>1</sup> **Blind and Deaf Children**, page 35.



*Obligation of Parents as to Blind and Deaf Children.*

1. (1) The efficient elementary instruction which under the Elementary Education Act, 1876, a parent must cause his child to receive, shall, in the case of a blind or deaf child, be construed as including instruction suitable to such a child, and the fact of a child being blind or deaf shall not of itself, except in the case of a deaf child under seven years of age, be a reasonable excuse for not causing the child to attend school, or for neglecting to provide efficient elementary instruction for the child.
- (2) In the case of a blind or deaf child, the fact that there is not within any particular distance from the residence of the child any public elementary school which the child can attend shall not of itself be a reasonable excuse for not causing the child to attend school, or for neglecting to provide efficient elementary instruction for the child.

*Duty of School Authority with respect to Blind and Deaf Children.*

2. (1) It shall be the duty of every school authority, as defined by this Act, to enable blind and deaf children resident in their district, for whose elementary education efficient and suitable provision is not otherwise made, to obtain such education in some school for the time being certified by the Education Department as suitable for providing such education, and for that purpose either to establish or acquire and to maintain a school so certified, or to contribute, on such terms and to such extent as may be approved by the Education Department, towards the establishment or enlargement, alteration, and maintenance of a school so certified, or towards any of these purposes, and, where necessary or expedient, to make arrangements, subject to regulations of the Education Department, for boarding out any blind or deaf child in a home conveniently near to the certified school where the child is receiving elementary education.
- (2) Provided that the duty of a school authority under this section shall not extend to children who are—
  - (a) Idiots or imbeciles; or
  - (b) Resident in a workhouse or in any institution to which they have been sent by a board of guardians from a workhouse; or
  - (c) Boarded out by guardians.

- (3) Where a school authority contributes under this section to the establishment, enlargement, or alteration of a certified school maintained by another authority, the terms approved by the Education Department shall include security for repayment of the value of the contribution, in the event of the school ceasing to be certified.

*Power to make Provision for Representation.*

3. The terms of contribution approved by the Education Department may include provision for representation of the contributing school authority on the governing body of the school to which it contributes, in cases where such representation appears to the Education Department to be practicable and expedient.

*Constitution of School Authority.*

4. The school authority for the purposes of this Act shall be—  
 (a) For an area under a school board, the school board;  
 (b) Repealed by the Act of 1902.

*Powers and Expenses of School Authority.*

5. (1) For the performance of their duties under this Act a school authority may, without prejudice to any other powers, exercise the like powers as may be exercised by a school board for the provision of school accommodation for their district, and the consent of the Education Department to the exercise of the power of borrowing for the purposes of this Act may be given in any case in which the exercise of that power appears to the Department expedient.  
 (2) The expenses of a school authority under this Act shall be paid out of the fund applicable to their general expenses.

NOTE.— . . . Words relating to School Attendance Committees repealed by Sec. 8 of 63 and 64 Vict. c. 53, *post*.

(3) Combination of School Authorities. Repealed by the Act of 1902.

(4) Public Works Loan Commissioners may lend money.  
 Repealed by the Act of 1902.

6. Provision in case of Failure of Duty by School Authority.  
 Repealed by the Act of 1902.

*Conditions and Effect of Grant of Certificate to School for Blind or Deaf Children.*

7. (1) A school shall not be certified by the Education Department as suitable for providing elementary education for blind or deaf children—

- (a) If it is conducted for private profit; nor
  - (b) Unless it is either managed by a school authority, or the annual expenses of its maintenance are, to the extent of not less than one third, defrayed out of sources other than local rates, or moneys provided by Parliament, and are audited and published in accordance with regulations of the Education Department; nor
  - (c) Unless it is open at all times to the inspection of Her Majesty's Inspectors of Schools, and of any visitors authorised by any school authority sending children to the school; nor
  - (d) Unless the requirements of this Act are complied with in the case of the school.
- (2) Every school so certified (in this Act referred to as a certified school) shall be deemed to be a certified efficient school within the meaning of the Elementary Education Act, 1876, and for the purposes of sec. 11 of that Act may, in the case of a blind or deaf child, be treated as if it were a public elementary school.
- (3) A certificate granted in pursuance of this section shall be annual.
- (4) For the purposes of this section there shall be included in local rates any sum received under this Act by a school authority from a parent and applied towards the general expenses of the school authority.

*Provisions as to Religious Instruction.*

8. (1) If and so far as the school which a child is required in pursuance of this Act to attend is not a public elementary school, it must, in all matters relating to religious instruction and observances of the child, be conducted in accordance with the rules applying to industrial schools, except that references in the Industrial Schools Act, 1866 (29 and 30 Vict. c. 118), and the rules made under it, to the Secretary of State shall be construed as references to the Education Department; and any school authority may provide and maintain for the purposes of this Act a school so conducted.
- (2) Every rule made under this section shall be forthwith laid before both Houses of Parliament.
- (3) In selecting a school under this Act the school authority shall be guided by the rules laid down in the Industrial Schools Act, 1866, and if a child is boarded out in pursuance of this Act, the school authority shall, if possible, arrange for the boarding out being with a person belonging to the religious persuasion of the child's parent.

- (4) Where a child is required in pursuance of this Act to attend any school, the child shall not be compelled to receive religious instruction contrary to the wishes of the parent, and shall, so far as practicable, have facilities for receiving religious instruction and attending religious services conducted in accordance with the parent's persuasion, which shall be duly registered on the child's admission to the school.

*Liability of Parent for Expenses of Blind or Deaf Child.*

9. (1) Where a school authority incur any expense under this Act in respect of any blind or deaf child, the parent of the child shall be liable to contribute towards the expenses of the child such weekly sum, if any, as, regard being had to the provisions of the Elementary Education Act, 1891 (54 and 55 Vict. c. 56), may be agreed on between the school authority and the parent, or, if the parties fail to agree, as may, on the application of either party, be settled by a court of summary jurisdiction, and any sum so agreed on or settled may, without prejudice to any other remedy, be recovered by the school authority summarily as a civil debt.
- (2) It shall be the duty of the school authority to enforce any order made under this section, and any sum received by a school authority under this section may be applied by the school authority in aid of their general expenses.
- (3) A court competent to make an order under this section may at any time revoke or vary any order so made.

*Saving for Rights of Parent.*

10. (1) The parent of a blind or deaf child shall not, by reason of any payment made under this Act in respect of the child, be deprived of any franchise, right, or privilege, or be subject to any disability or disqualification.
- (2) Payments under this Act shall not be made on condition of a child attending any certified school other than such as may be reasonably selected by the parent, nor refused because the child attends or does not attend any particular certified school.

*Period of Education for Blind and Deaf.*

11. For the purposes of the Elementary Education Acts, 1870 to 1891, a blind or deaf boy or girl shall be deemed to be a child until the age of sixteen years: and the period of compulsory education shall, in the case of such a child, extend to sixteen years, and the attendance of such a child at school may be



enforced as if it were required by bye-laws made under the Elementary Education Acts, 1870 to 1891; and any such child shall not, in pursuance of any such bye-laws, be entitled to total or partial exemption from the obligation to attend school.

*Grants from Public Money towards Education of Blind and Deaf Children.*

12. Nothing in any Act of Parliament shall prevent the Education Department from giving aid from the Parliamentary grant to a certified school in respect of education given to blind or deaf children to such amount and on such conditions as may be directed by or in pursuance of the minutes of the Education Department in force for the time being.<sup>1</sup>

<sup>1</sup> **Grants (Government)**, page 111.

*Repeal of Powers to Guardians to send Blind or Deaf Children to School.*

13. (1) As from the first day of July one thousand eight hundred and ninety-four so much of any enactment in force at that date as empowers boards of guardians to send blind or deaf children to school shall be repealed, except as to children who are—

- (a) Idiots or imbeciles; or
- (b) Resident in a workhouse or in an institution to which they have been sent by a board of guardians from a workhouse; or
- (c) Boarded out by guardians.

(2) Provided that, where any blind or deaf child with respect to whom the powers of guardians cease in pursuance of this section is on the first day of July one thousand eight hundred and ninety-four relieved in any institution by a board of guardians, the child shall continue chargeable as if this Act had not passed, until the expiration of six months' notice to be given by the guardians, if they think fit, to the school authority of the district from which the child was sent.

*Report to be Laid before Parliament.*

14. The Education Department shall annually lay before both Houses of Parliament a report of their proceedings under this Act during the preceding year, and in that report shall give lists of the schools to which they have granted and refused certificates under this Act during the year, with their reasons for each such refusal.

*Interpretation of Terms.*

15. (1) In this Act—

The expression “blind” means too blind to be able to read the ordinary school books used by children;

The expression “deaf” means too deaf to be taught in a class of hearing children in an elementary school;

The expression “school” includes any institution in which blind or deaf children are boarded or lodged as well as taught, and any establishment for boarding or lodging children taught in a certified school;

The expression “elementary education” may include industrial training whether given in the school which the child attends or not;

The expression “maintenance” includes clothing;

The expression “expenses,” when used in relation to a child, includes the expenses of and incidental to the attendance of the child at a school, and of and incidental to the maintenance and boarding-out of the child while so attending, and the expenses of conveying the child to or from the school;

Other expressions have, unless the contrary intention appears, the same meaning as in the Elementary Education Acts, 1870 to 1891.

(2) For the purposes of this Act a child resident in a school or boarded out in pursuance of this Act shall be deemed to be resident in the district from which the child is sent.

*Extent of Act.*

16. This Act shall not extend to Scotland or Ireland.

*Commencement of Act.*

17. This Act shall come into operation on the first day of January one thousand eight hundred and ninety-four.

*Short Title.*

18. This Act may be cited as the Elementary Education (Blind and Deaf Children) Act, 1893, and shall be read with the Elementary Education Acts, 1870 to 1891.

# ELEMENTARY EDUCATION (SCHOOL ATTENDANCE) ACT, 1893.

(56 AND 57 VICT. C. 51.)

*An Act to amend the Elementary Education Acts with respect to the Age for Attendance at School.—(September 22nd, 1893.)*

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

## *Age for Exemption from School Attendance.*

1. The age at which a child may, in pursuance of any bye-law made under the Elementary Education Acts, 1870 to 1891, obtain total or partial exemption from the obligation to attend school, on obtaining a certificate as to the standard of examination which he has reached shall be raised to eleven,<sup>1</sup> and every such bye-law, so far as it provides for such exemption, shall be construed and have effect as if a reference to eleven years of age were substituted therein for a reference to a lower age, and in sec. 74 of the Elementary Education Act, 1870 (33 and 34 Vict. c. 75), eleven shall be substituted for ten.

<sup>1</sup> NOTE.—The age of twelve is substituted for the age of eleven in this section by one of 62 and 63 Vict. c. 13. *post*.

## *Penalty for Employment of Children before Exemption from School Attendance.*

2. If any person takes a child into his employment in such manner as to prevent the child from attending school in accordance with the bye-laws for the time being in force in the district in which the child resides, he shall be deemed to take the child into his employment in contravention of the Elementary Education Act, 1876 (39 and 40 Vict. c. 79), and shall be liable to a penalty accordingly.

## *Saving.*

3. Nothing in this Act shall apply in the case of any child who at the passing of this Act is under the bye-laws then in force in the district in which he resides exempt wholly or partially, as the case may be, from the obligation to attend school.

*Commencement of Act.*

4. This Act shall come into operation on the first day of January one thousand eight hundred and ninety-four.

*Short Title.*

5. This Act may be cited as the Elementary Education (School Attendance) Act, 1893, and shall be read with the Elementary Education Acts, 1870 to 1891.

## VOLUNTARY SCHOOLS ACT, 1897.

(60 VICT. c. 5.)

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. Aid Grant to Voluntary Elementary Schools. Repealed by the Act of 1902.

*Repeal of 17s. 6d. Limit in 39 and 40 Vict. c. 79, sec. 19, as respects Day Schools in England and Wales.*

2. After the last day of March one thousand eight hundred and ninety-seven, the following words in sec. 19 of the Elementary Education Act, 1876, namely, "such grant shall not in any year be reduced by reason of its excess above the income of the school if the grant do not exceed the amount of seventeen shillings and sixpence per child in average attendance at the school during that year, but shall not exceed that amount per child, except by the same sum by which the income of the school derived from voluntary contributions, rates, school fees, endowments, or any source whatever other than the Parliamentary grant, exceeds the said amount per child, and" shall be repealed so far as they apply to day schools in England and Wales.

*Exemption from Rates of Voluntary Elementary Schools.*

3. No person shall be assessed or rated to or for any local rate in respect of any land or buildings used exclusively or mainly for the purposes of the schoolrooms, offices, or playground of a voluntary school, except to the extent of any profit derived by the managers of the school from the letting thereof.<sup>1</sup>

<sup>1</sup> **Rating of Schools**, page 205.



*Definitions.*

4. In this Act, unless the context otherwise requires—

The expression “voluntary school” means a public elementary day school not provided by a school board:

Any reference to the number of scholars in schools means the number of scholars in average attendance as computed by the Education Department:

The expression “local rate” means a rate the proceeds of which are applicable to public local purposes, and which is leviable on the basis of an assessment in respect of the yearly value of property, and includes any sum which, though obtained in the first instance by a precept, certificate, or other instrument requiring payment from some authority or officer, is or can be ultimately raised out of a local rate as before defined.

Other expressions have the same meaning as in the Elementary Education Acts, 1870 to 1893.

*Extent of Act and Short Title.*

5. (1) This Act shall not extend to Scotland or Ireland.

(2) This Act may be cited as the Voluntary Schools Act, 1897.

## ELEMENTARY EDUCATION ACT, 1897.

(60 VICT. c. 16.)

Necessitous School Boards. Repealed by the Act of 1902.

SCHOOL BOARD CONFERENCE ACT, 1897.<sup>1</sup>

(60 AND 61 VICT. c. 32.)

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

*Payment of School Board Conference Expenses.*

1. (1) The school board of any district may, subject to regulations made by the Education Department under this Act, pay out of the school fund—

<sup>1</sup> Deputations and Conferences, page 70.

- (a) The reasonable expenses of any members of the board, or of the clerk to the board, in attending any conference of school boards held for the purpose of discussing any matter connected with the duties devolving upon them; and
  - (b) Any reasonable annual or other subscription towards the expenses of the conference.
- (2) A school board shall not pay under this Act the expenses of more than three persons attending a school board conference.
- (3) The Education Department may make such regulations as they think fit for regulating payments and the amount of payment by school boards under this Act.
- (4) Expressions used in this Act have the same respective meanings as they have in the Elementary Education Acts, 1870 to 1893.

*Short Title.*

2. This Act may be cited as the School Board Conference Act, 1897.

ELEMENTARY SCHOOL TEACHERS (SUPERANNUATION)  
ACT, 1898.

(61 AND 62 VICT. C. 57.)

*An Act to provide for Superannuation and other Annuities and Allowances to Elementary School Teachers Certificated by the Education Department.*<sup>1</sup>

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

*Elementary School Teachers Certificated after the Commencement of the Act.*

1. (1) A teacher certificated after the commencement of this Act shall not be recognised by the Education Department as a certificated teacher until the Department are satisfied in the prescribed manner of his physical capacity.

<sup>1</sup> **Pensions for Teachers**, page 186.

(2) In the case of a teacher who becomes a certificated teacher after the commencement of this Act, the following provisions shall, subject to rules under this Act, apply:

- (a) His certificate shall expire on his attaining the age of sixty-five years, or if the Education Department, on account of his special fitness, allow his service to continue for a further limited time, then on the expiration of that limited time;
- (b) The teacher shall, while serving in recorded service, contribute to the deferred annuity fund under this Act at the rate, if a man, of three pounds, and if a woman, of two pounds, a year, or at such increased rate as may for the time being be fixed by the Treasury in accordance with this Act;
- (c) On his attaining the age of sixty-five years, or on any later date at which his certificate expires, he shall be entitled, out of the deferred annuity fund, to such annuity for the remainder of his life in respect of his contributions to that fund as may be fixed by the tables under this Act, but he shall not be entitled to any return of contributions or to any benefits in respect of his contributions other than that annuity;
- (d) On his attaining the age of sixty-five years, or on any later date at which his certificate expires, if he has contributed to the deferred annuity fund in accordance with this Act, and his years of recorded service are not less than half the number of years which have elapsed since he became certificated, the Treasury may grant to him, out of moneys provided by Parliament, an annual superannuation allowance calculated at the rate of ten shillings for each complete year of recorded service.

(3) If at any time the Education Department find that the average salaries of the certificated teachers calculated in the prescribed manner exceed by ten per cent, in the case of men one hundred and nineteen pounds thirteen shillings and threepence, or in the case of women seventy-six pounds eleven shillings and ninepence per annum, they shall certify accordingly to the Treasury, and the Treasury may by warrant, in the case of either sex, increase the rate of contribution to the deferred annuity fund under this Act by an amount not exceeding five shillings a year for each full ten per cent of the excess.

- (4) Any such certificate may be given and warrant made from time to time, and if in any year the Education Department consider that the average emoluments have been so reduced as no longer to justify any increase of contribution made by any such warrant, they may certify the same to the Treasury, and the Treasury may cancel their warrant accordingly.
- (5) "Recorded service" for the purposes of this Act shall be such service in the capacity of certificated teacher in a public elementary school, not being an evening school, as is recorded by the Education Department, and may include such service as is so recorded in the capacity, within the meaning of the Education Code, either of a teacher in a training college, or of organising teacher, or of teacher of a central class for pupil teachers, or in such other capacity in or connected with public elementary schools as may be for the time being prescribed, or in the capacity of a certificated teacher in a certified reformatory or industrial school; but no service after the teacher attains the age of sixty-five years shall be recorded service for the purpose either of contribution to the deferred annuity fund, or of determining the amount of any allowance under this Act.

*Allowances to Incapacitated Teachers.*

- 2 (1) Where a teacher satisfies the Treasury in the prescribed manner that he—
- (a) Has served a number of years of recorded service not less than ten and not less than half the years which have elapsed since he became certificated; and
  - (b) Has not at the date of the application been for more than the prescribed time unemployed in recorded service; and
  - (c) Has become permanently incapable, owing to infirmity of mind or body, of being an efficient teacher in a public elementary school; and
  - (d) Is not excluded by the prescribed disqualifications;
- the Treasury may, subject to the prescribed conditions and to the provisions of this Act, grant to such teacher out of moneys provided by Parliament an annual allowance (in this Act called "a disablement allowance") not exceeding—
- (a) If the teacher is a man, twenty pounds for ten complete years of recorded service, with the addition of one pound for each complete additional year of recorded service; and



- (b) If the teacher is a woman, fifteen pounds for ten complete years of recorded service, with the addition of thirteen shillings and fourpence for each complete additional year of recorded service; and
  - (c) In any case, the total annual sum which the teacher might obtain from an annuity and superannuation allowance under this Act by continuing to serve until the age of sixty-five years.
- (2) If the grantee of a disablement allowance attains the age of sixty-five years, any annuity which would otherwise be payable to the grantee out of the deferred annuity fund shall, except where the allowance has ceased by reason of the grantee being again employed as a teacher in recorded service, be paid to the Treasury and applied as they direct towards the payment of disablement allowances, and, in that case, the Treasury shall not award any superannuation allowance to the grantee.
- (3) A disablement allowance shall be re-considered by the Treasury at intervals not exceeding three years; and the rules shall provide for the suspension, cessation, or reduction of the allowance in whole or in part, if the prescribed conditions are not complied with or the prescribed disqualifications apply, and those disqualifications shall deal with the cases of persons who have caused or increased their infirmity by their own misconduct or default, or who marry or cease to be incapable, or become in such a position as not to be in pecuniary need of the allowance.

*Collection of Contributions and Deferred Annuity Fund arising therefrom.*

3. (1) The contributions under this Act from certificated teachers shall be paid to the Education Department at the prescribed time and in the prescribed manner by the teachers or their employers; and the receipt of the Education Department for the amount of a contribution paid by the employer of a teacher shall be a good discharge for the like amount of remuneration otherwise payable to the teacher.
- (2) The contributions so received by the Education Department shall be paid to the National Debt Commissioners, and be invested by them so as to form a fund, in this Act referred to as "the deferred annuity fund."
- (3) The National Debt Commissioners shall pay out of the fund to the Treasury the sums required by the Treasury for the payment of annuities under this Act, but otherwise shall invest the contributions, and all income of

the fund for the time being, in any securities in which money held by the Commissioners on account of savings banks may be invested.

- (4) Separate subsidiary funds shall be kept in respect of the contributions and annuities of men and women teachers respectively, and any part of the assets of one subsidiary fund may be used for meeting the liabilities of the other, and in that case the amount lent by the one to the other shall be a debt bearing interest at the rate used for the computation of the tables for the time being in force under this Act.
- (5) A return showing the state of the fund at the end of every financial year, distinguishing the said accounts, shall be annually laid before Parliament.
- (6) At the end of every seven years an actuarial inquiry into and report upon the assets and liabilities of the fund shall be made under the direction of the Treasury and the Education Department, and the report shall be laid before Parliament.

#### *Tables of Deferred Annuities.*

4. (1) The Treasury shall cause tables to be constructed, showing the amount of annuity payable out of the deferred annuity fund to men and women teachers respectively in respect of the contributions made by them from time to time under this Act, and so framed as to secure the fund against loss.
- (2) If it appears from any actuarial report under this Act that the assets and liabilities of either account of the fund are such as either to require a reduction or to justify an increase of the annuities, the Treasury may cause fresh tables to be constructed, and those tables, when approved by the Treasury, shall come into force and shall be laid before Parliament, and the former tables shall cease to be in force, and so on from time to time as occasion requires.

#### *Application of Act to Existing Teachers.*

5. With respect to the application of this Act to certificated teachers who became certificated before the commencement of this Act (in this Act referred to as "existing teachers") the following provisions shall have effect:

- (1) The Education Department shall, in the prescribed manner, give to each existing teacher the option, within the prescribed time, not being more than one year after the commencement of this Act, of accepting, in the prescribed manner, this Act.

- (2) If an existing teacher does not so accept this Act, it shall not apply to him. If an existing teacher does so accept this Act, it shall apply to him with the following modifications; that is to say:
- (a) The rate of ten shillings upon which the superannuation allowance is calculated may be augmented in the case of a man by threepence, and in the case of a woman by twopence, for each complete year of recorded services served before the commencement of this Act:
  - (b) If the teacher has not at the date of the acceptance attained the age of sixty-five years or any greater age, and has served in recorded service throughout the seven years next before the commencement of this Act, the provisions with respect to the expiration of the certificate shall apply as if the date of the acceptance were substituted for the date at which the teacher attained the age of sixty-five years;
  - (c) If the teacher has not at the date of the acceptance attained the said age, he must serve in recorded service after the commencement of this Act, and where, during any part of the seven years next before the commencement of this Act, he was not in recorded service, the duration of the recorded service after the commencement of this Act must not be less than the said part of the seven years.
- (3) Nothing in this section shall authorise the grant of any allowance to any teacher who at the commencement of this Act is in receipt of a pension out of moneys provided by Parliament for the service of education.

#### *Rules.*

6. (1) The Treasury and the Education Department may make rules for carrying into effect this Act, and shall provide thereby—
- (a) For permitting certificated teachers to pay contributions to the deferred annuity fund during any interval not exceeding six months in which they are not employed in recorded service, and for reckoning the time in respect of which such contributions are made, as if it were recorded service;
  - (b) For the application of an annuity or allowance under this Act when payable to a person who is of unsound mind, or otherwise incapable of giving a receipt;

- (c) For the suspension of all or any part of an allowance when the grantee is wholly or partly maintained out of any public money; and
- (d) For the payment of any sum under one hundred pounds due on the death of a person without the production of probate or other proof of the title of the personal representative of such person.

(2) All rules made under this section shall be laid, as soon as may be, before both Houses of Parliament.

*Decision of Treasury and Education Department.*

7. Any question which arises as to the application of any section of this Act to any person, or as to the amount of any annuity or allowance under this Act, or as to the grant, refusal, suspension, or cessation of any such allowance, shall be referred to the Treasury, and any question as to the reckoning of any service for any purpose of this Act shall be referred to the Education Department, and the decision of the Treasury or Education Department on any question so referred shall be final.

*Forfeiture for Misconduct.*

- 8. (1) Where the certificate of a teacher is suspended or cancelled by the Education Department, the teacher shall not be entitled to any disablement allowance under this Act unless the certificate is restored by the Department.
- (2) Where the Education Department certify to the Treasury that a recipient of any superannuation allowance, or disablement allowance under this Act, has been proved to them to have been guilty of any act or conduct which, if he had continued to serve as a teacher, would have justified them in suspending or cancelling his certificate, the Treasury shall suspend or determine the allowance in whole or in part.

*As to Payment and Assignment of Annuities and Allowances.*

- 9. (1) Every annuity and allowance under this Act shall be payable quarterly at such times and payable and apportionable in such manner as the Treasury may fix.
- (2) Every assignment of or charge on, and every agreement to assign or charge, any annuity or allowance to a teacher under this Act, whether payable presently or at some future date, shall be void, and on the bankruptcy of the teacher the annuity or allowance shall not pass to any trustee or other person acting on behalf of the creditors, but this provision shall be without



prejudice to any order of the Court made under sec. 53 of the Bankruptcy Act, 1883 (46 and 47 Vict. c. 52), or any corresponding enactment in Scotland or Ireland.

*Punishment for Fraud and Personation.*

10. If any person—

- (a) For the purpose of obtaining for himself or any other person any annuity or allowance under this Act, personates any person, or makes any false certificate, false representation, or false statement, or makes use of any false certificate or document, false representation, or false statement, knowing the same to be false; or
- (b) By means of any such false certificate, document, representation, or statement, or by other fraudulent means, or by any personation, obtains or attempts to obtain for himself or any other person any annuity or allowance under this Act,

he shall on conviction on indictment be liable to imprisonment, with or without hard labour, for a term not exceeding two years, and on summary conviction be liable to imprisonment, with or without hard labour, for a term not exceeding three months, or to a fine not exceeding twenty-five pounds, and any penalty under this section may be in addition to any suspension or determination of his allowance under this Act.

For the purposes of this section the obtaining of an annuity or allowance includes the increase of any annuity or allowance, and the prevention or rescission of any cessation or suspension of any annuity or allowance, and the obtaining of any sum in respect of any annuity or allowance.

*Definitions.*

11. In this Act, unless the context otherwise requires—

The expression “certificated teacher” means a teacher who is recognised under the Education Code as a certificated teacher for public elementary schools:

The expression “certificate” includes any document issued by the Education Department, which recognises a teacher as a certificated teacher:

The expression “Education Code” means such minutes of the Education Department as are for the time being in force for the purpose of the Elementary Education Act, 1870 (33 and 34 Vict. c. 75):

The expression “prescribed” means prescribed by rules under this Act.

*Application to Scotland.*

12. In the application of this Act to Scotland, the following provisions shall have effect:

- (1) The expression "Education Department" means the Scotch Education Department, and the expression "Education Code" means the Scotch Education Code:
- (2) The expression "public elementary school" means a public or other school in receipt of annual Parliamentary grant:
- (3) Sec. 149 of the Bankruptcy (Scotland) Act, 1856 (19 and 20 Vict. c. 79), shall be substituted for sec. 53 of the Bankruptcy Act 1883:
- (4) The Education (Scotland) Act, 1872 (35 and 36 Vict. c. 62), shall be substituted for the Elementary Education Act, 1870:
- (5) Nothing contained or done under this Act shall apply to or affect any teacher of a public school in Scotland appointed before the passing of the Education (Scotland) Act, 1872, unless the teacher has accepted this Act in pursuance of the provisions of sec. 5 hereof:
- (6) It shall not be lawful for a school board in Scotland to grant under the powers conferred by sec. 61 of the Education (Scotland) Act, 1872, a retiring allowance payable out of the school fund to any teacher of a public school under their management who has accepted this Act in pursuance of the provisions of sec. 5 hereof, or to whom this Act otherwise applies.

*Extent of Act.*

13. This Act shall not extend to Ireland.

*Commencement of Act.*

14. This Act shall come into operation on the first day of April next after the passing thereof, or on such day, not more than three months later, as may be fixed by Her Majesty in Council.

*Short Title.*

15. This Act may be cited as the Elementary School Teachers (Superannuation) Act, 1898.

NOTE.—The provisions of this Act are extended to the Isle of Man and to Jersey by 63 and 64 Vict., chapters 38 and 40, with certain modifications.

ELEMENTARY EDUCATION (SCHOOL ATTENDANCE)  
ACT (1893) AMENDMENT ACT, 1899.

(62 AND 63 VICT. C. 13.)

*An Act to amend the Law respecting the Employment and Education of Young Children.*

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

*Amendment of 56 and 57 Vict. c. 51.*

1. On and after the first day of January one thousand nine hundred, the Elementary Education (School Attendance) Act, 1893, shall have effect as if "twelve" were substituted therein for "eleven."<sup>1</sup>

Provided that nothing in this Act shall apply in the case of any child who at the said date is, under the bye-laws then in force in the school district in which he resides, exempt, wholly or partially, as the case may be, from the obligation to attend school.

Provided also that the local authority for any district may, by bye-law for any parish within their district, fix thirteen years as the minimum age for exemption from school attendance in the case of children to be employed in agriculture, and that in such parish such children over eleven and under thirteen years of age who have passed the standard fixed for partial exemption from school attendance by the bye-laws of the local authority shall not be required to attend school more than two hundred and fifty times in any year.<sup>2</sup>

Such bye-law shall have effect as a bye-law made under sec. 74 of the Elementary Education Act, 1870, and all Acts amending the same.

The local authority shall be the local authority fixed by sec. 7 of the Elementary Education Act, 1876.

Provided also that a child shall be entitled to obtain partial exemption from school attendance on attaining the age of twelve years if such child has made three hundred attendances in not more than two schools during each year for five preceding years whether consecutive or not.<sup>3</sup>

<sup>1</sup> Law of School Attendance, page 148; Employment of Children, page 80; Half-timers, page 113.

<sup>2</sup> Bye-laws, page 40; Law of School Attendance, page 148.

<sup>3</sup> Under the Act of 1900 bye-laws may now extend the school age to 14. For further information see Bye-laws, page 40.

*Short Title and Construction.*

2. This Act may be cited as the Elementary Education (School Attendance) Act (1893) Amendment Act, 1899, and shall be read with the Elementary Education Acts, 1870 to 1897.

ELEMENTARY EDUCATION (DEFECTIVE AND  
EPILEPTIC CHILDREN) ACT, 1899.

(62 AND 63 VICT. C. 32.)

*An Act to make better Provision for the Elementary Education of Defective and Epileptic Children in England and Wales.*<sup>1</sup>

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

*Power to School Authority to determine what Children are Defective or Epileptic.*

1. (1) A school authority, as defined by the Elementary Education (Blind and Deaf Children) Act, 1893 (56 and 57 Vict. c. 42), may, with the approval of the Education Department, make such arrangements as they think fit for ascertaining—
  - (a) What children in their district, not being imbecile, and not being merely dull or backward, are defective, that is to say, what children by reason of mental or physical defect are incapable of receiving proper benefit from the instruction in the ordinary public elementary schools, but are not incapable by reason of such defect of receiving benefit from instruction in such special classes or schools as are in this Act mentioned; and
  - (b) What children in their district are epileptic children, that is to say, what children, not being idiots or imbeciles, are unfit by reason of severe epilepsy to attend the ordinary public elementary schools.

<sup>1</sup> Crippled Children, page 67: Defective Children, page 68: Epileptic Children, page 82: Mentally Deficient Children, page 172. For general regulations of Board of Education see Minute of 26th February, 1900, page 510.



- (2) The school authority, in making their arrangements under this section, shall provide facilities for enabling any parent, who is of opinion that his child ought to be dealt with under this Act, to present such child to the school authority to be examined, although he may not have been required so to do by that authority; and any school authority failing to provide such facilities shall be deemed to have acted in contravention of this Act.
- (3) For the purpose of ascertaining whether a child is defective or epileptic within the meaning of this section, a certificate to that effect by a duly qualified practitioner approved by the Education Department shall be required in each case. The certificate shall be in such form as may be prescribed by the Education Department. (See page 518.)
- (4) For the purpose of the exercise of the powers conferred by this section, it shall be the duty of the parent of any child who may be required by the school authority to be examined to cause the child to attend such examination, and any parent who fails to comply with such requirement shall be liable on summary conviction to a fine not exceeding five pounds.

*Power to Provide for Education of Defective and Epileptic Children.*

2. (1) Where a school authority has ascertained that there are in their district defective children, they may make provision for the education of such children by all or any of the following means:
  - (a) By classes in public elementary schools certified by the Education Department as special classes; or
  - (b) By boarding out, subject to the regulations of the Education Department, any such child in a house conveniently near to a certified special class or school; or
  - (c) By establishing schools, certified by the Education Department, for defective children. (See Regulations, page 517.)
- (2) Where a school authority have ascertained that there are in their district epileptic children, they may make provision for the education of such children by establishing schools, certified by the Education Department, for epileptic children. (See Regulations, page 517.)

- (3) The power conferred by this section shall include power to establish or acquire and to maintain certified schools, and to contribute, on such terms and to such extent as may be approved by the Education Department, towards the establishment, enlargement, or alteration, and towards the maintenance of certified schools.
- (4) A school authority may in respect of children resident in or whose permanent home is in their district, and attending certified special classes or schools in the district of another school authority, contribute to that other authority the proportionate cost of the provision and maintenance of such special classes or schools.
- (5) The school authority acting under this section shall make provision for the examination from time to time of any child dealt with under this section, in order to ascertain whether such child has attained such a mental and physical condition as to be fit to attend the ordinary classes of public elementary schools; and the school authority shall make provision for such examination in the case of any child whose parent claims such examination of his child, provided that the parent shall not make such claim within less than six months after his child has been examined; and any school authority failing to make such provision as this sub-section requires shall be deemed to have acted in contravention of this Act.
- (6) The Education Department shall not certify any establishment established after the commencement of this Act for boarding and lodging more than fifteen defective or epileptic children in one building or comprising more than four such buildings. (See Regulations, page 517.)

*Provision of Guides or Conveyances.*

3. A school authority may provide guides or conveyances for children who, in the opinion of the school authority, are by reason of any physical or mental defect unable to attend school without guides or conveyances.<sup>1</sup>

<sup>1</sup> **Conveyance of Children, etc.**, page 61.

*Obligation of Parent as to Defective and Epileptic Children.*

4. (1) The duty of a parent under sec. 4 of the Elementary Education Act, 1876 (39 and 40 Vict. c. 79), to provide elementary instruction for his child shall, in the case of a defective or epileptic child over seven years of age in any place where a certified special class or school is

within reach of the child's residence, include the duty to cause the child to attend such a class or school, and a parent shall not be excused from this duty by reason only that a guide or conveyance for the child is necessary.

- (2) In the case of an epileptic child whose age exceeds seven years, the school authority may, if they think fit, apply to a court of summary jurisdiction for an order requiring the child to be sent to a certified school for epileptics, and if any parent fails to comply with the order he shall be deemed to have failed to perform the duty prescribed by sec. 4 of the Elementary Education Act, 1876, and may be proceeded against accordingly.

*Conditions and Effect of Grant of Certificate to School for Defective or Epileptic Children.*

5. The provisions of sec. 7 of the Elementary Education (Blind and Deaf Children) Act, 1893, respecting the conditions and effect of the grant of certificates to schools for blind and deaf children shall apply, with the necessary modifications, to schools for defective or epileptic children established or proposed to be established under this Act, except that no requirement need be made as to the proportion of the expenses to be defrayed out of private sources.

*Powers and Expenses of School Authority.*

6. The provisions of sec. 5 of the Elementary Education (Blind and Deaf Children) Act, 1893 (relating to the powers and expenses of a school authority under that Act), shall apply, with the necessary modifications, to school authorities acting under this Act.

NOTE.— . . . Words relating to Adjustment of Expenses between Parish with a School Board and District Council, etc., repealed by the Act of 1902.

*Grants from Public Money towards Education of Defective and Epileptic Children.*

7. Nothing in any Act of Parliament shall prevent the Education Department from giving aid from the Parliamentary grant to a school in respect of education given to defective or epileptic children to such amount and on such conditions as may be directed by or in pursuance of the minutes of the Education Department in force for the time being.<sup>1</sup> (See Regulations, page 517.)

<sup>1</sup> Grants, page 111.

*Contribution by Parent.*

8. (1) The parent of a defective or epileptic child shall be liable to contribute towards the expenses of the child incurred by a school authority under this Act in like manner and to the like extent as the parent of a blind or deaf child is liable to contribute under sec. 9 of the Elementary Education (Blind and Deaf Children) Act, 1893, and the provisions of that section shall apply accordingly.
- (2) The parent of a defective or epileptic child shall not, by reason of any payment made under this Act in respect of the child, be deprived of any franchise, right, or privilege, or be subject to any disability or disqualification.
- (3) Payments under this Act shall not be made on condition of a child attending any certified school other than such as may be reasonably selected by the parent, nor refused because the child attends or does not attend any particular certified school.

*Contribution by Guardians of the Poor.*

9. The board of guardians of any poor law union may contribute such of the expenses of providing, enlarging, or maintaining any certified special class or school under this Act as are certified by the Education Department to have been incurred wholly or partly in respect of scholars taught at the class or school who are either resident in the workhouse or in an institution to which they have been sent by the guardians from a workhouse or boarded out by the guardians.

*Limitation on Liability of School Authority.*

10. Nothing in this Act shall be construed as imposing a duty on a school authority to receive in a special class or school established by them any child—

- (a) Who is resident in, or whose permanent home in their opinion is in, the district of another school authority; or
- (b) Who is resident in a workhouse, or in any institution to which he has been sent by the guardians, from a workhouse, or boarded out by the guardians,

unless that other school authority, or, as the case may be, the guardians are willing to contribute towards the expenses of the education and maintenance of the child such sum as may be agreed on between the authorities concerned.



*Period of Education for Defective and Epileptic Children.*

11. For the purposes of the Elementary Education Acts, 1870 to 1893, and of this Act, a defective or epileptic boy or girl shall be deemed to be a child until the age of sixteen years, and the period of compulsory education shall, in the case of such a child, extend to sixteen years, and the attendance of such a child at school may be enforced as if it were required by bye-laws made under the Elementary Education Acts, 1870 to 1893, and any such child shall not, in accordance with such bye-laws, be entitled to total or partial exemption from the obligation to attend school.

*Religious Instruction.*

12. The provisions regulating religious instruction in certified schools for defective and epileptic children shall be the same as those enacted by sec. 8 of the Elementary Education (Blind and Deaf Children) Act, 1893.

*Report to Parliament.*

13. Every school authority shall make to the Education Department such returns as the Department may require; and the Department shall annually lay before both Houses of Parliament a report of their proceedings under this Act during the preceding year, and in that report shall give lists of the schools and classes to which they have granted or refused certificates under this Act during the year, with their reasons for each such refusal.

*Interpretation of Terms.*

14. In this Act—

The expression “school” includes any institution in which defective or epileptic children are boarded or lodged as well as taught, and any establishment for boarding or lodging children taught in a certified special class or school:

Other expressions have, unless the contrary intention appears, the same meaning as in the Elementary Education (Blind and Deaf Children) Act, 1893.

*Short Title.*

15. This Act may be cited as the Elementary Education (Defective and Epileptic Children) Act, 1899, and may be cited with the Elementary Education Acts, 1870 to 1893.

## BOARD OF EDUCATION ACT, 1899.

(62 AND 63 VICT. C. 33.)

*An Act to Provide for the Establishment of a Board of Education for England and Wales, and for matters connected therewith.<sup>1</sup>*

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

*Establishment of Board of Education.*

1. (1) There shall be established a Board of Education charged with the superintendence of matters relating to education in England and Wales.
- (2) The Board shall consist of a President, and of the Lord President of the Council (unless he is appointed President of the Board), Her Majesty's Principal Secretaries of State, the First Commissioner of Her Majesty's Treasury, and the Chancellor of Her Majesty's Exchequer.
- (3) The existing Vice-President of the Committee of the Privy Council on Education shall also be a member of the Board, but on the next vacancy in his office the office shall be abolished, and the enactments mentioned in the schedule to this Act shall be repealed.
- (4) The President of the Board shall be appointed by Her Majesty, and shall hold office during Her Majesty's pleasure.
- (5) The Board shall be deemed to be established on the appointment of the President thereof.

*Duties and Powers of Board of Education.*

2. (1) The Board of Education shall take the place of the Education Department (including the Department of Science and Art), and all enactments and documents shall be construed accordingly.
- (2) It shall be lawful for Her Majesty in Council, from time to time, by order, to transfer to, or make exercisable by, the Board of Education any of the powers of the Charity Commissioners or of the Board of Agriculture in matters appearing to Her Majesty to relate to education, and the order may make such provision as appears

<sup>1</sup> **Board of Education**, page 35.

necessary for applying to the exercise of those powers by the Board of Education the enactments relating to the Charity Commissioners or to the Board of Agriculture.

Provided that any question as to whether an endowment or any part of an endowment is held for or ought to be applied to educational purposes shall be determined by the Charity Commissioners.<sup>1</sup>

<sup>1</sup> **Charity Commission**, page 49.

*Inspection of Secondary Schools.*<sup>1</sup>

3. (1) The Board of Education may by their officers, or, after taking the advice of the Consultative Committee hereinafter mentioned, by any University or other organisation, inspect any school supplying secondary education, and desiring to be so inspected, for the purpose of ascertaining the character of the teaching in the school and the nature of the provisions made for the teaching and health of the scholars, and may so inspect the school on such terms as may be fixed by the Board of Education with the consent of the Treasury: Provided that the inspection of schools established by scheme under the Welsh Intermediate Education Act, 1889 (52 and 53 Vict. c. 40), shall, subject to regulations made by the Treasury under sec. 9 of that Act, be conducted as heretofore by the Central Welsh Board for Intermediate Education, and that the said board shall be recognised as the proper organisation for the inspection of any such schools as may be desirous of inspection under this section.
- (2) The council of any county or county borough may out of any money applicable for the purposes of technical education pay or contribute to the expenses of inspecting under this section any school within their county or borough.

<sup>1</sup> **Examinations and Inspections**, page 89.

*Consultative Committee.*

4. It shall be lawful for Her Majesty in Council, by order, to establish a Consultative Committee consisting, as to not less than two-thirds, of persons qualified to represent the views of universities and other bodies interested in education, for the purpose of—

- (a) Framing, with the approval of the Board of Education, regulations for a register of teachers, which shall be formed and kept in manner to be provided

- by Order in Council: Provided that the register so formed shall contain the names of the registered teachers arranged in alphabetical order, with an entry in respect of each teacher showing the date of his registration, and giving a brief record of his qualifications and experience; and
- (b) Advising the Board of Education on any matter referred to the committee by the Board.

<sup>1</sup> Consultative Committee, page 61: Registration of Teachers, page 208.

*Orders to be laid before Parliament.*

5. The draft of any Order proposed to be made under this Act shall be laid before each House of Parliament for not less than four weeks during which that House is sitting, before it is submitted to Her Majesty in Council.

*Staff, Remuneration, and Expenses.*

6. (1) The Board of Education may appoint such secretaries, officers, and servants as the Board may, with the sanction of the Treasury, determine.
- (2) There shall be paid, out of moneys provided by Parliament, to the President of the Board, unless he holds another salaried office, such annual salary not exceeding two thousand pounds, and to the secretaries, officers, and servants of the Board such salaries or remuneration as the Treasury may determine.

*Style, Seal, and Proceedings of Board of Education.*

7. (1) The Board of Education may sue and be sued and may for all purposes be described by that name.
- (2) The Board shall have an official seal, which shall be officially and judicially noticed, and that seal shall be authenticated by the signature of the President or some member of the Board, or of a secretary, or of some person authorised by the President or some member of the Board to act on behalf of a secretary.
- (3) Every document purporting to be an instrument issued by the Board of Education, and to be sealed with the seal of the Board, authenticated in manner provided by this Act, or to be signed by a secretary or any person authorised by the President or some member of the Board to act on behalf of a secretary, shall be received in evidence, and be deemed to be such an instrument without further proof, unless the contrary is shown.



- (4) A certificate signed by the President or any member of the Board of Education that any instrument purporting to be made or issued by the President or some member of the Board is so made or issued shall be conclusive evidence of the fact.

*Power for President or Secretary to sit in Parliament.*

2. (1) The office of President of the Board of Education shall not render the person holding it incapable of being elected to, or of voting in, the Commons House of Parliament, and shall be deemed to be an office included in Schedule H. of the Representation of the People Act, 1867 (30 and 31 Vict. c. 102); in Schedule H. of the Representation of the People (Scotland) Act, 1868 (31 and 32 Vict. c. 48); in Schedule E. of the Representation of the People (Ireland) Act, 1868 (31 and 32 Vict. c. 49); and in Part I. of the Schedule of the Promissory Oaths Act, 1868 (31 and 32 Vict. c. 72).
- (2) After the abolition of the office of the Vice-President of the Committee of the Privy Council on Education, one of the secretaries of the Board of Education shall not by reason of his office be incapable of being elected to or of voting in the Commons House of Parliament.

*Extent, Commencement, and Short Title.*

- 9 (1) This Act shall not extend to Scotland or Ireland.
- (2) This Act shall come into operation on the first day of April, one thousand nine hundred.
- (3) This Act may be cited as the Board of Education Act, 1899.

SCHEDULE.

*Enactments Repealed.*

| Session and Chapter.  | Short Title.                        | Extent of Repeal.  |
|-----------------------|-------------------------------------|--|
| 19 & 20 Vict. c. 116. | The Education Department Act, 1856. | The whole Act.   |
| 21 & 22 Vict. c. 97.  | The Public Health Act, 1858.        | In section seven the words "the Vice-President of the Committee of the said Privy Council on Education being one of them." |

## ELEMENTARY EDUCATION ACT, 1900.

(63 AND 64 VICT. c. 53.)

*An Act to amend the Elementary Education Acts, 1870 to 1893.*

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

*Calculation of Average Attendance.*

1. For the purpose of the fee grant under the Elementary Education Act, 1891 (54 and 55 Vict. c. 56), average attendance shall be calculated in accordance with the minutes of the Board of Education in force for the time being in respect to public elementary schools.

*Power of Guardians to Contribute to Expenses of Public Elementary School.*

2. The board of guardians of any poor law union may contribute towards such of the expenses of providing, enlarging, or maintaining any public elementary school as are certified by the Board of Education to have been incurred wholly or partly in respect of scholars taught at the school, who are either resident in a workhouse or in an institution to which they have been sent by the guardians from a workhouse, or boarded out by the guardians.<sup>1</sup>

3. Expenses of Blind and Deaf Children. Repealed by the Act of 1902.

<sup>1</sup> **Pauper Children**, page 186.

*Expenses of Children in Industrial Schools.*

4. (1) Where a child is committed to a certified industrial school, at the instance of a school board or other local authority within the meaning of the Elementary Education Acts, 1870 to 1893, the authority may pay the expenses of and incidental to the conveyance of the child to and from the school, and the sending of the child out on licence or bringing back the child on the expiration or revocation of a licence.

- (2) Where any such local authority have contributed to the support of a child in an industrial school they may contribute to the ultimate disposal of the child.

*Accounts Relating to Joint Industrial Schools.*

5. Where two or more school boards combine for the establishment of a joint industrial school under a joint body of managers, the enactments relating to the audit of school board accounts shall apply as if the joint body of managers were a school board.

*Bye-laws for Compulsory Attendance.*

6. (1) In sec. 74 of the Elementary Education Act, 1870, and in sec. 4 of the Elementary Education Act, 1880 (which relate to bye-laws for the attendance of children at school), fourteen years shall be substituted for thirteen years.
- (2) The maximum penalty for the breach of a bye-law requiring the attendance of a child at an elementary school, or of an attendance order made under the Elementary Education Act, 1876, shall be twenty shillings, and accordingly twenty shillings shall be substituted for five shillings in sec. 74 of the Elementary Education Act, 1870 (33 and 34 Vict. c. 75), and in sec. 12 of the Elementary Education Act, 1876.
- (3) The said sec. 74 shall have effect as if the sanction therein referred to were the sanction of the Board of Education instead of the sanction of Her Majesty in Council.<sup>1</sup>

<sup>1</sup> **Bye-laws**, page 40.

*Amendment of 39 and 40 Vict. c. 79, as to Standard of Attendances.*

7. In paragraph 2 of the First Schedule to the Elementary Education Act, 1876 (which relates to the standard of previous due attendance at a certified efficient school), three hundred and fifty shall be substituted for two hundred and fifty.<sup>1</sup>

<sup>1</sup> **Bylaws**, page 40.

*Repeal.*

8. The Acts mentioned in the schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

*Short Title.*

9. This Act may be cited as the Elementary Education Act, 1900, and may be cited with the Elementary Education Acts, 1870 to 1893.

## SCHEDULE.

*Enactments Repealed.*

| Session and Chapter. | Short Title.  | Extent of Repeal.  |
|----------------------|---|--|
| 54 & 55 Vict. c. 56. | The Elementary Education Act, 1891.                           | Section ten, from "and the expression" to the end of the section.  |
| 56 & 57 Vict. c. 42. | The Elementary Education (Blind and Deaf Children) Act, 1893. | Section four, from "and until" to the end of the section.<br>Section five, from "or where the school authority" to "value of each parish." |

## EDUCATION ACT, 1901.

(1 EDWARD VII. c. 11.)

*An Act for enabling Local Authorities to empower School Boards temporarily to carry on certain Schools; and for sanctioning certain School Board Expenses.—(August 9th, 1901.)*

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

*Temporary Provision for certain School Board Schools.*

1. (1) Where a school board has at any time during the twelve months immediately preceding the thirty-first day of July one thousand nine hundred and one maintained out of the school fund any school or class to the maintenance of which the school fund is not lawfully applicable, the council of the county or county borough within which the school or class is held, or, with the sanction of the Board of Education, any other local authority under the Technical Instruction Acts, 1889 and 1891, for the district within which the school or class is held, may empower the school board to carry on for the period of one year from that day the work of the school or class to such extent and on such terms as may be agreed on between such council or local



authority and the school board, and to apply to the maintenance of the school or class such sum out of the school fund as the council or local authority may sanction.

(2) Where any expenses incurred by a school board in respect of any such school or class before the said day are sanctioned by the Local Government Board the legality of those expenses shall not be questioned in any court.

*Short Title.*

2. This Act may be cited as the Education Act, 1901.

EDUCATION ACT, 1901 (RENEWAL), ACT, 1902.

(2 EDWARD VII. C. 19.)

*An Act to Renew the Education Act, 1901.—(July 31st, 1902.)*

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

*Renewal of Education Act, 1901.*

1. The Education Act, 1901, shall have effect, as respects the year ending the thirty-first day of July one thousand nine hundred and three, as if "one thousand nine hundred and two" were substituted for "one thousand nine hundred and one" in section one of that Act.

*Short Title.*

2. This Act may be cited as the Education Act, 1901 (Renewal) Act, 1902.

LOCAL TAXATION (CUSTOMS AND EXCISE) ACT, 1890.

*An Act for the Distribution and Application of certain Duties of Customs and Excise: and for other purposes connected therewith.—(18th August, 1890.)*

Whereas certain local taxation (customs and excise) duties have by an Act of the present session been directed to be paid to the same local taxation accounts as the local taxation probate duty, and it is expedient to provide for the distribution and application of the duties so paid:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

*Application of English Share of Customs and Excise Duties.*

1.—(1) Out of the English share of the local taxation (customs and excise) duties paid to the local taxation account on account of any financial year—

- (a) The sum of three hundred thousand pounds shall be applied for such purposes of police superannuation in England as hereinafter mentioned;
- (b) The residue shall, unless Parliament otherwise determines, be distributed between county and county borough funds, and carried to the Exchequer contribution accounts of those funds respectively, and applied under the Local Government Act, 1888, as if it were part of the English share of the local taxation probate duty, and shall be the subject of an adjustment between counties and county boroughs, according to section thirty-two of the said Act, by the Commissioners under that Act.

(2) and (3) repealed by Act of 1902.

(4) The council for any county to which the Welsh Intermediate Education Act, 1889, applies may contribute any sum received by such council under this section in respect of the said residue or any part of that sum towards intermediate and technical education under that Act, in addition to the amount which the council can under that Act contribute for such education.

*Application of Scotch Share of Customs and Excise Duties.*

2.—Out of the Scotch share of the local taxation (customs and excise) duties paid to the local taxation (Scotland) account on account of any financial year—

- (i.) The sum of forty thousand pounds shall be applied for such purposes of police superannuation in Scotland as hereinafter mentioned;
- (ii.) A sum not exceeding forty thousand pounds shall be applied in relief from the payment of school fees in the State-aided schools in Scotland of children in the compulsory standards of the Scotch code, and shall be distributed in such manner and in accordance with such conditions as may be set forth for the present financial year in a minute of the Scotch Education Department to be forthwith laid before Parliament, and in every year subsequent to the present year in the Scotch Education Code annually submitted to Parliament; and
- (iii.) The residue shall, until Parliament otherwise determines, be diminished by any charge, or increased by any credit, pursuant to the provisions of the Contagious Diseases (Animals) (Pleuro Pneumonia) Act, 1890, and distributed by the Secretary for Scotland—
- (a) To the amount of fifteen thousand pounds as a contribution to the cost of medical officers and sanitary inspectors appointed under the Public Health (Scotland) Act, 1867, or under the Local Government (Scotland) Act, 1889, as the case may be, in such manner and according to such scale and regulations as may be prescribed by the Secretary for Scotland;

- (b) And, subject as aforesaid, among the county councils of counties and town councils acting as such or as police commissioners of burghs, and police commissioners of police burghs, in Scotland, in proportion to the respective valuations of such counties and burghs and police burghs as such valuations shall be ascertained by the Secretary for Scotland at the date of such distribution, the share falling to such councils and commissioners respectively to be applied to the relief of local rates levied by them respectively, in such manner as they may determine.

Provided nevertheless that the council of any such county or burgh and the commissioners of any such police burgh may contribute any sum received by such council or commissioners (as the case may be) in respect of the said residue or any part of that sum for the purpose of technical education within the meaning of the Technical Schools (Scotland) Act, 1887, and may make that contribution over and above any sum that may be paid out of any school fund under that Act whether or not any sum has been paid out of such fund.

*Application of Irish Share of Customs and Excise Duties.*

3.—(1) The Irish share of the local taxation (customs and excise) duties paid to the local taxation (Ireland) account on account of any financial year shall be applied as follows, that is to say, out of such share—

- (i.) The sum of seventy-eight thousand pounds shall be paid to the Commissioners of Education, and shall be distributed by them as nearly as possible in proportion to the average number of pupils daily attending the several national schools in Ireland in aid of which salaries or any other money payments are paid by the said commissioners, estimated according to the rules and regulations of the said commissioners for the time being in force, and such distribution shall be made according to rules to be framed by the said commissioners with the consent of the Treasury and the amounts—
  - (a) In the case of every national school in a union which is not a contributory union, shall be paid for the benefit of the schools which are not model schools as an addition to the local contributions to or in respect of such schools within the financial year fixed by the last-mentioned rules; and
  - (b) In the case of every national school in a union which is a contributory union, shall be paid to the guardians of such union, provided that no such payment shall be made to the guardians of any contributory union in excess of the amount paid by them within the financial year fixed as aforesaid, pursuant to the provisions of the National School Teachers (Ireland) Act, 1875, out of the poor rate;
  - (c) All sums so paid to the guardians of a contributory union shall be applied in aid of the poor rate; and
  - (d) Any sums not paid to the guardians of a contributory union by reason of the proviso restricting the amount of payment hereinbefore contained shall be paid for the benefit of the national schools in the union which are not model schools in the manner hereinbefore mentioned.

(ii.) The residue of such share shall, unless Parliament otherwise determines, be paid to the Intermediate Education Board for Ireland, and be distributed and applied by them amongst schools to which the provisions of the Intermediate Education (Ireland) Act, 1878, apply for both or either of the purposes following, but for no other purposes, namely:

- (a) For the payment to managers of schools complying with the conditions prescribed under the said Act, of fees dependent on the results of public examinations of students; and
- (b) For the payment of prizes and exhibitions, and the giving of certificates to students,

according to a scheme to be settled by the said Board with the approval of the Lord Lieutenant and the Treasury.

(2) Expressions which have meanings assigned to them by the National School Teachers (Ireland) Act, 1875, shall have the same meanings respectively in this section.

*Distribution of Sums for Police Superannuation in England and Scotland.*

4.—(1) Out of the annual sum applicable under this Act for police superannuation in England one hundred and fifty thousand pounds shall be paid to the receiver for the Metropolitan police district, and applied in aid of the police superannuation fund for the Metropolitan police force.

(2) The remaining half of the said annual sum shall be distributed among the police authorities of the other police forces in England other than the police force of the city of London, and the annual sum of forty thousand pounds applicable for police superannuation in Scotland shall be distributed among the police authorities of police forces in Scotland; and the amounts to be so distributed shall be distributed and applied towards the superannuation of the police forces in such manner and in accordance with such conditions and regulations as may be provided by or in pursuance of any Act hereafter passed, and until so distributed and applied shall remain to the credit of the local taxation accounts.

*Distribution of Local Taxation (Customs and Excise) Duties.*

5.—All sums paid in respect of the local taxation (customs and excise) duties to any local taxation accounts mentioned in section twenty-one of the Local Government Act, 1888, in section twenty-one of the Local Government (Scotland) Act, 1889, or in the Probate Duties (Scotland and Ireland) Act, 1888, shall be paid and distributed by the like central authority as in the case of the local taxation probate duty, and the enactments relating to such distribution shall, subject to the express provisions of this Act, apply accordingly; the said accounts are in this Act referred to by the names given them in the said Acts.

*Definitions.*

6.—In this Act, unless the context otherwise requires:—

The expressions “burgh,” “police burgh,” and “police commissioners,” have respectively the same meaning as in the Local Government (Scotland) Act, 1889.

The expression “local taxation probate duty” means the moiety of probate duties which under section twenty-one of the Local Government Act, 1888, and section twenty-one of the



Local Government (Scotland) Act, 1889, and section two of the Probate Duties (Scotland and Ireland) Act, 1888, is directed to be paid to the several local taxation accounts in England, Scotland, and Ireland respectively.

The expression "central authority" means, as respects England, the Local Government Board; as respects Scotland, the Secretary for Scotland; and as respects Ireland, the Lord Lieutenant.

*Short Title.*

7.—This Act may be cited as the Local Taxation (Customs and Excise) Act, 1890.

## INDUSTRIAL SCHOOLS ACT, 1866.<sup>1</sup>

(29 AND 30 VICT. C. 118.)

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

### PRELIMINARY.

*Short Title.*

1. This Act may be cited as the Industrial Schools Act, 1866.

### *Extent of Act.*

2. This Act shall not extend to Ireland.

### *Acts described in First Schedule Repealed.*

3. The Acts described in the first schedule to this Act are hereby repealed; but this repeal shall not affect the past operation of any such Act, or the force or operation of any certificate, order, rule, or sentence, made or passed, or the validity or invalidity of anything done or suffered, or any right, title, obligation, or liability accrued, before the passing of this Act; nor shall this Act interfere with the institution or prosecution of any proceeding in respect of any offence committed against, or any penalty or forfeiture incurred under, any Act hereby repealed.

### *Interpretation of Terms.*

4. In this Act—

The term "justice" applies to England only, and means a Justice of the Peace having jurisdiction in the place where the matter requiring the cognisance of a justice arises:

<sup>1</sup>Industrial Schools, page 126.

The term "two justices" applies to England only, and means two or more justices in Petty Sessions, or the Lord Mayor or an Alderman of the City of London, or a police or stipendiary magistrate or other justice having by law authority to act alone for any purpose with the powers of two justices:

The term "magistrate" applies to Scotland only, and includes Sheriff, Sheriff Substitute, Justice of the Peace of a County, Judge in a Police Court, and Provost or Baillie of a City or Burgh:

The term "prison authority" with respect to England has the same meaning as in the Prisons Act, 1865 (28 and 29 Vict. c. 126), and with respect to Scotland means the Administrators of a prison as defined by the Prisons (Scotland) Administration Act, 1860 (23 and 24 Vict. c. 105).

The term "parish" includes a place separately maintaining its own poor.

#### INDUSTRIAL SCHOOLS.

##### *Description of Industrial Schools and Managers.*

5. A school in which industrial training is provided, and in which children are lodged, clothed, and fed, as well as taught, shall exclusively be deemed an industrial school within the meaning of this Act.

The persons for the time being having the management or control of such a school shall be deemed the managers thereof for the purposes of this Act.

#### INSPECTOR.

##### *Inspector of Industrial Schools and Assistant.*

6. Such one of Her Majesty's Inspectors of Prisons as one of Her Majesty's Principal Secretaries of State (in this Act referred to as the Secretary of State) from time to time thinks fit to appoint to be the Inspector of Reformatory Schools shall be also the Inspector of Industrial Schools.

The Secretary of State may from time to time appoint a fit person to assist the inspector: and every person so appointed shall have such of the powers and duties of the inspector of industrial schools as the Secretary of State from time to time prescribes, but shall act under the direction of the inspector.

#### CERTIFIED INDUSTRIAL SCHOOLS.

##### *Mode of Certifying Industrial Schools.*

7. The Secretary of State may, on the application of the managers of an industrial school, direct the inspector of industrial schools to examine into the condition of the school, and its fitness for the reception of children to be sent there under this Act, and to report to him thereon, and the inspector shall examine and report accordingly.

If satisfied with the report of the inspector the Secretary of State may, by writing under his hand, certify that the school is fit for the reception of children to be sent there under this Act, and thereupon the school shall be deemed a certified industrial school.

*School not to be Certified as Industrial and Reformatory.*

8. A school shall not be at the same time a certified industrial school under this Act and a certified reformatory school under any other Act.

*Notices of Certificate to be Gazetted.*

9. A notice of the grant of each certificate shall within one month be inserted by order of the Secretary of State in the London or in the Edinburgh Gazette, according as the school to which it refers is in England or in Scotland.

*Copy of Gazette to be Evidence.*

A copy of the Gazette containing the notice shall be conclusive evidence of the grant, which may also be proved by the certificate itself, or by an instrument purporting to be a copy of the certificate, and to be attested as such by the inspector of industrial schools.

*Inspection of School.*

10. Every certified industrial school shall from time to time, and at least once in each year, be inspected by the inspector of industrial schools, or by a person appointed to assist him as aforesaid.

*Alterations, etc., of Buildings to be Approved.*

11. No substantial addition or alteration shall be made to or in the buildings of any certified industrial school without the approval in writing of the Secretary of State.

*Contribution by Counties and Boroughs to Establishment and Enlargement of Schools.<sup>1</sup>*

12. In England a Prison Authority may from time to time contribute such sums of money, and on such conditions as they think fit, towards the alteration, enlargement, or re-building of a certified industrial school, or towards the support of the inmates of such a school, or towards the management of such a school, or towards the establishment or building of a school intended to be a certified industrial school, or towards the purchase of land required either for the use of an existing certified industrial

<sup>1</sup> See Sec. 7 of the Industrial Schools Act, 1872, page 487.

school, or for the site of a school intended to be a certified industrial school; provided—

First, that not less than two months' previous notice<sup>1</sup> of the intention of the Prison Authority to take in consideration the making of such contribution, at a time and place to be mentioned in such notice, be given by advertisement in some one or more public newspaper or newspapers circulated within the district of the county or borough, and also in the manner in which notices relating to business to be transacted by the Prison Authority are usually given:

Secondly, that where the Prison Authority is the council of a borough, the order for the contribution be made at a special meeting of the council:

Thirdly, that where the contribution is for alteration, enlargement, re-building, establishment, or building of a school or intended school, or for purchase of land, the approval of the Secretary of State be previously given for that alteration, enlargement, re-building, establishment, building, or purchase.

In Scotland a county board may contribute to any certified industrial school with the consent and in the manner provided by the Prisons (Scotland) Administration Act, 1860, respecting contributions to reformatories.

<sup>1</sup> See Sec. 14 of Act of 1873.

### *Mode of Obtaining Approval of Secretary of State.*

13. In order to obtain the approval of the Secretary of State as aforesaid where required, the managers of the school, or promoters of the intended school, shall forward to the Secretary of State particulars of the proposed establishment or purchase, and a plan of the proposed alteration, enlargement, re-building, or building, drawn on such scale, and accompanied by such particulars and estimate of cost, as the Secretary of State thinks fit to require; and the Secretary of State may approve of the particulars and plan submitted to him, with or without modification, or may disapprove of the same, and his approval or disapproval shall be certified by writing under his hand.

### CLASSES OF CHILDREN TO BE DETAINED IN CERTIFIED INDUSTRIAL SCHOOLS.

*As to Children under 14 Years of Age found Begging, etc.*

14. Any person may bring before two justices or a magistrate any child apparently under the age of fourteen years that comes within any of the following descriptions, namely—

That is found begging or receiving alms (whether actually or under the pretext of selling or offering for sale anything), or being in any street or public place for the purpose of so begging or receiving alms:



That is found wandering and not having any home or settled place of abode, or proper guardianship, or visible means of subsistence :

That is found destitute, either being an orphan or having a surviving parent who is undergoing imprisonment :

That frequents the company of reputed thieves.<sup>1</sup>

The justices or magistrate before whom a child is brought as coming within one of those descriptions, if satisfied on inquiry of that fact, and that it is expedient to deal with him under this Act, may order him to be sent to a certified industrial school.

<sup>1</sup> See Sec. 1 of the Industrial Schools Act, 1880, page 489.

*As to Children under 12 Years of Age Charged with Offences.*

15. Where a child apparently under the age of twelve years is charged before two justices or a magistrate with an offence punishable by imprisonment or a less punishment, but has not been in England convicted of felony, or in Scotland of theft, and the child ought, in the opinion of the justices or magistrate (regard being had to his age and to the circumstances of the case), to be dealt with under this Act, the justices or magistrate may order him to be sent to a certified industrial school.<sup>2</sup>

<sup>2</sup> See Sec. 1 of Youthful Offenders Act, 1901, page 502 ; see Sec. 9, Prevention, &c., Act, 1894, page 497.

*As to Refractory Children under 14 Years of Age in Charge of Parent, etc.*

16. Where the parent or step-parent or guardian of a child apparently under the age of fourteen years represents to two justices or a magistrate that he is unable to control the child, and that he desires that the child be sent to an industrial school under this Act, the justices or magistrate, if satisfied on inquiry that it is expedient to deal with the child under this Act, may order him to be sent to a certified industrial school.

*As to Refractory Children under 14 Years of Age in Workhouses, Pauper Schools, etc.*

17. Where the guardians of the poor of a union or of a parish wherein relief is administered by a board of guardians, or the board of management of a district pauper school, or the parochial board of a parish or combination, represent to two justices or a magistrate that any child apparently under the age of fourteen years maintained in a workhouse or pauper school of a union or parish, or in a district pauper school, or in the poorhouse of a parish or combination is refractory, or is the child of parents either of whom has been convicted of a crime or offence punishable with penal servitude or imprisonment, and that it is desirable that he be sent to an industrial school under this Act, the justices or magistrates may, if satisfied that it is expedient to deal with the child under this Act, order him to be sent to a certified industrial school.

## ORDER OF DETENTION.

*Form and Contents of Order Sending Child to School.*

18. The order of justices or a magistrate sending a child to a school (in this Act referred to as the Order of Detention in a School) shall be in writing signed by the justices or magistrate, and shall specify the name of the school.

The school shall be some certified industrial school (whether situate within the jurisdiction of the justices or magistrate making the order or not) the managers of which are willing to receive the child; and the reception of the child by the managers of the school shall be deemed to be an undertaking by them to teach, train, clothe, lodge, and feed him during the whole period for which he is liable to be detained in the school, or until the withdrawal or resignation of the certificate of the school takes effect, or until the contribution out of money provided by Parliament towards the custody and maintenance of the children detained in the school is discontinued, whichever shall first happen.

The school named in the order shall be presumed to be a certified industrial school until the contrary is shown.

In determining on the school the justices or magistrate shall endeavour to ascertain the religious persuasion to which the child belongs, and shall, if possible, select a school conducted in accordance with such religious persuasion, and the order shall specify such religious persuasion.

The order shall specify the time for which the child is to be detained in the school, being such time as to the justices or magistrate seem proper for the teaching and training of the child, but not in any case extending beyond the time when the child will attain the age of sixteen years.

*Temporary Detention in Workhouse, etc.*

19. Two justices or a magistrate, while inquiry is being made respecting a child or respecting a school to which he may be sent, may, by order signed by them or him, order the child to be taken to the workhouse or poorhouse of the union, parish, or combination in which he is found or resident—or where (in Scotland) there is no such poorhouse, or the poorhouse is at an inconvenient distance, to such other place, not being a prison, as the magistrate thinks fit, the occupier whereof is willing to receive him—and to be detained therein at the cost of the union, parish, or combination for any time not exceeding seven days, or until an order is sooner made for his discharge or for his being sent to a certified industrial school; and the guardians of the poor for the union or parish, or the keeper of the poorhouse, or other person to whom the order is addressed, are and is hereby empowered and required to detain him accordingly.<sup>1</sup>

<sup>1</sup> See Sec. 4, Youthful Offenders Act, 1901, page 503.

*Power to Parent, etc., to Apply to Remove Child to a School Conducted in Accordance with Child's Religious Persuasion.*

20. If the parent, step-parent, or guardian, or if there be no parent, step-parent, or guardian, then the god-parent, or nearest adult relative, of a child sent or about to be sent to a certified industrial school which is not conducted in accordance with the religious persuasion to which the child belongs, states to the justices or magistrate by whom the order of detention has been or is about to be made (or to two justices or a magistrate having the like jurisdiction) that he objects to the child being sent to or detained in the school specified or about to be specified in the order, and names another certified industrial school in Great Britain which is conducted in accordance with the religious persuasion to which the child belongs, and signifies his desire that the child be sent thereto, then and in every such case the justices or magistrate shall, upon proof of such child's religious persuasion, comply with the request of the applicant, provided—

First, that the application be made before the child has been sent to a certified industrial school, or within thirty days after his arrival at such a school :

Secondly, that the applicant show to the satisfaction of the justices or magistrate that the managers of the school named by him are willing to receive the child :

Provided always, with respect to Scotland, that if any child who has become chargeable to any parish, and who is under this section sent from Scotland, to a school out of Scotland, might have been removed from Scotland (under any Act for the time being in force relating to the relief of the poor in Scotland) at the instance of the inspector of the poor of the parish to which he has become chargeable, had he not been sent out of Scotland under this section, then and in every such case the chargeability on such parish for such child shall cease on his being so sent out of Scotland.

*Where Order to be for Detention in School of Parochial Board.*

21. In Scotland where a magistrate is about to make or has made an order for sending a child to a certified industrial school, and the child is chargeable at the time to any parish, or has been so chargeable within three months then last past, and there is in that parish a certified industrial school maintained by the parochial board thereof, and conducted in accordance with the religious persuasion to which the child belongs, and the inspector of the poor of such parish certifies to the magistrate (or to a magistrate having the like jurisdiction) that he requires the child to be sent to the certified industrial school in such parish maintained by the parochial board thereof, and conducted in accordance with the religious persuasion to which the child

belongs, then and in every such case the magistrate shall direct the child to be sent to the last-mentioned school accordingly, the inspector of the poor defraying the expense of conveying the child thither; provided that where the order of detention has been made, the application of the inspector to the magistrate to be made within fourteen days of the day of the making of the order.

*Order to be Warrant for Conveyance and Detention.*

22. The order of detention in a school shall be forwarded to the managers of the school with the child, and shall be a sufficient warrant for the conveyance of the child thither, and his detention there.

*Expenses of Conveyance to School.*

23. The expense of conveying to a certified industrial school a child ordered to be sent there shall be defrayed by the police authorities by whom he is conveyed, and shall be deemed part of the current expenses of those police authorities.

*Evidence of Order of Detention.*

24. An instrument purporting to be an order of detention in a school and to be signed by two justices or a magistrate, or purporting to be a copy of such an order, and to be certified as such a copy by the clerk to the justices or magistrate by whom the order was made, shall be evidence of the order.

MANAGEMENT OF SCHOOL.

*Religious Instruction in School.*

25. A minister of the religious persuasion specified in the order of detention as that to which the child appears to the justices or magistrate to belong may visit the child at the school on such days and at such times as are from time to time fixed by regulations made by the Secretary of State for the purpose of instructing him in religion.

*Lodging Child Out of School.*

26. The managers of a school may permit a child sent there under this Act to lodge at the dwelling of his parent or of any trustworthy and respectable person, so that the managers teach, train, clothe, and feed the child in the school as if he were lodging in the school itself, and so that they report to the Secretary of State, in such manner as he thinks fit to require, every instance in which they exercise a discretion under this section.

*Licence for Living Out of School.*

27. The managers of a school may, at any time after the expiration of eighteen months of the period of detention allotted



to a child, by licence under their hands, permit him to live with any trustworthy and respectable person named in the licence, and willing to receive and take charge of him.

Any licence so granted shall not be in force for more than three months, but may at any time before the expiration of those three months be renewed for a further period not exceeding three months, to commence from the expiration of the previous period of three months, and so from time to time until the period of the child's detention is expired.

Any such licence may also be revoked at any time by the managers of the school by writing under their hands, and thereupon the child to whom the licence related may be required by them, by writing under their hands, to return to the school.

The time during which a child is absent from a school in pursuance of a licence shall, except where such licence has been forfeited by his misconduct, be deemed to be part of the time of his detention in the school, and at the expiration of the time allowed by the licence he shall be taken back to the school.

A child escaping from the person with whom he is placed under a licence, or refusing to return to the school on the revocation of his licence, or at the expiration of the time allowed thereby, shall be deemed to have escaped from the school.

See Sec. 1 (2) of the Industrial Schools Act, 1894, page 490.

#### *Power to Apprentice Child.*

28. The managers of a school may, at any time after a child has been placed out on licence as aforesaid, if he conducted himself well during his absence from the school, bind him, with his own consent, apprentice to any trade, calling, or service, notwithstanding that his period of detention has not expired, and every such binding shall be valid and effectual to all intents.

#### *Rules of School to be Approved by Secretary of State.*

29. The managers of a certified industrial school may from time to time make rules for the management and discipline of the school, not being inconsistent with the provisions of this Act: but those rules shall not be enforced until they have been approved in writing by the Secretary of State; and rules so approved shall not be altered without the like approval.

A printed copy of rules purporting to be the rules of a school so approved and to be signed by the inspector of industrial schools shall be evidence of the rules of the school.

#### *Evidence as to Reception in School, etc.*

30. A certificate purporting to be signed by one of the managers of a certified industrial school or their secretary, or by the superintendent or other person in charge of the school, to the effect that the child therein named was duly received into and is at the

signing thereof detained in the school, or has been duly discharged or removed therefrom or otherwise disposed of according to law, shall be evidence of the matters therein stated.

*Liability to Removal not Affected by Stay at School.*

31. The time during which a child is detained in a school under this Act shall for all purposes be excluded in the computation of time mentioned in section one of the Act of the Session of the ninth and tenth years of Her Majesty's reign (chapter sixty-six), "to amend the Laws relating to the Removal of the Poor," as amended by any other Act.

OFFENCES AT SCHOOL, ETC.

*Refusal to Conform to Rules.*

32. If a child sent to a certified industrial school, and while liable to be detained there, being apparently above ten years of age, and whether lodging in the school itself or not, wilfully neglects or wilfully refuses to conform to the rules of the school, he shall be guilty of an offence against this Act, and on summary conviction thereof before two justices or a magistrate shall be liable to be imprisoned, with or without hard labour, for any term not less than fourteen days, and not exceeding three months, and the justices or magistrate before whom he is convicted may direct him to be sent at the expiration of the term of his imprisonment to a certified reformatory school, and to be there detained subject and according to the provisions of the Reformatory Schools Act, 1866 (29 and 30 Vict. c. 117).

*Penalty on Child Escaping from School.*

33. If a child sent to a certified industrial school, and while liable to be detained there, and whether lodging in the school itself or not, escapes from the school, or neglects to attend thereat, he shall be guilty of an offence against this Act, and may at any time before the expiration of his period of detention be apprehended without warrant, and may (any other Act to the contrary notwithstanding) be then brought before a justice or magistrate having jurisdiction in the place or district where he is found, or in the place or district where the school from which he escaped is situate; and he shall thereupon be liable, on summary conviction before such a justice or magistrate, to be, by and at the expense of the managers of the school, brought back to the same school, there to be detained during a period equal to so much of his period of detention as remained unexpired at the time of his committing the offence.

If the child charged with such an offence is apparently above ten years of age, then on his summary conviction of the offence before two such justices or such a magistrate, he shall be liable,

at the discretion of the justices or magistrate, instead of being sent back to the same school, to be imprisoned with or without hard labour for any term not less than fourteen days, and not exceeding three months, and the justices or magistrate before whom he is convicted may direct him to be sent at the expiration of the term of his imprisonment to a certified reformatory school, and to be there detained subject and according to the provisions of the Reformatory Schools Act, 1866.

*Penalty on Persons Inducing Offenders to Escape from Certified Industrial Schools.*

34. If any person does any of the following things, that is to say—

First, knowingly assists, directly or indirectly, a child liable to be detained in a certified industrial school to escape from the school;

Second, directly or indirectly induces such a child so to escape;

Third, knowingly harbours or conceals a child who has so escaped, or prevents him from returning to school, or knowingly assists in so doing—<sup>1</sup>

Every such person shall be guilty of an offence against this Act, and shall, on summary conviction thereof before two justices or a magistrate, be liable to a penalty not exceeding twenty pounds, or, at the discretion of the justices, to be imprisoned for any term not exceeding two months, with or without hard labour.

<sup>1</sup> See Sec. 2 of the Industrial Schools Act, 1894, page 491.

EXPENSES OF CHILDREN IN SCHOOLS.

*Power to Treasury to Contribute Towards Custody, etc., of Children Detained.*

35. The Commissioners of Her Majesty's Treasury may from time to time contribute, out of money provided by Parliament for the purpose, such sums as the Secretary of State from time to time thinks fit to recommend towards the custody and maintenance of children detained in certified industrial schools: provided that such contributions shall not exceed two shillings per head per week for children detained on the application of their parents, step-parents, or guardians.

*Power to Prison Authority to Contract for Reception of Children in Schools.*

36. In England a Prison Authority may contract with the managers of a certified industrial school for the reception and maintenance therein of such children as are from time to time ordered by justices to be sent there from the district of the Prison Authority.

*Power to Guardians of Poor, etc., to Contribute.*

37. The guardians of the poor of a union or parish, or the board of management of a district pauper school, or the parochial board of a parish or combination, may from time to time, with the consent in England of the Poor Law Board, and in Scotland of the Board of Supervision, contribute such sums as they think fit towards the maintenance of children detained in a certified industrial school on their application.

*Recovery of Cost of Maintenance in Scotland when Parishes, etc., are Liable.*

38. In Scotland where a child sent to a certified industrial school under this Act is at the time of his being so sent, or within three months then last past has been, chargeable to any parish, the parochial board and inspector of the poor of the parish of the settlement of such child, if the settlement of the child is in any parish in Scotland, shall, as long as he continues so chargeable, be liable to repay to the Commissioners of Her Majesty's Treasury all expenses incurred in maintaining him at school under this Act to an amount not exceeding five shillings per week, and in default of payment those expenses may be recovered by the inspector of industrial schools, or any agent of the inspector, in a summary manner before a magistrate having jurisdiction in the place where the parish is situate.

Provided always that nothing in this Act shall prevent any parochial board on whose funds the cost of support of any such child has become a charge from adopting such steps for the recovery of any sums which may have been paid by such parochial board for any such child against the parish of his settlement, or for his removal, as may be competent to them under any Act for the time being in force relating to the relief of the poor in Scotland.

*Contribution by Parent, etc.*

39. The parent, step-parent, or other person for the time being legally liable to maintain a child detained in a certified industrial school shall, if of sufficient ability, contribute to his maintenance and training therein a sum not exceeding five shillings per week.

*Order for Enforcement of Contribution by Parent, etc.*

40. On the complaint of the inspector of industrial schools, or of any agent of the inspector, or of any constable under the directions of the inspector (with which directions every constable is hereby required to comply), at any time during the detention of a child in a certified industrial school, two justices or a magistrate having jurisdiction at the place where the parent, step-parent, or other person liable as aforesaid resides may, on summons to the parent, step-parent, or other person liable as



aforesaid, examine into his ability to maintain the child, and may, if they or he think fit, make an order or decree on him for the payment to the inspector or his agent of such weekly sum, not exceeding five shillings per week, as to them or him seems reasonable, during the whole or any part of the time for which the child is liable to be detained in the school.

Every such order or decree may specify the time during which the payment is to be made, or may direct the payment to be made until further order.

In Scotland any such order or decree shall be held to be and to have the effect of an order or decree in each and every week for payment of the sum ordered or decreed to be paid for such week; and under the warrant for arrestment therein contained (which the magistrate is hereby authorised to grant if he sees fit), it shall be lawful to arrest weekly for payment of such weekly sum as aforesaid the wages of the defender due and current, and such arrestment shall attach not only to the wages due and payable to the defender at the date thereof, but also to the wages current for the week or other term or period in which such arrestment is executed, any law or statute notwithstanding.

Every such payment or a proper proportionate part thereof shall go in relief of the charges on Her Majesty's Treasury, and the same shall be accounted for as the Commissioners of Her Majesty's Treasury direct, and where the amount of the payment ordered in respect of any child exceeds the amount contributed by the Commissioners of Her Majesty's Treasury in respect of that child, the balance shall be accounted for and paid to the managers of the school.

The Secretary of State may, in his discretion, remit wholly or partially any payment so ordered.

Two justices or a magistrate having jurisdiction to make such an order or decree may from time to time vary any such order or decree as circumstances require, on the application either of the person on whom such order or decree is made, or of the inspector of industrial schools, or his agent, on fourteen days' notice being first given of such application to the inspector or agent or to such person respectively.

#### DISCHARGE, ETC., OF CHILDREN FROM SCHOOL.

##### *Detention to Cease on Child Attaining Sixteen.*

41. A person who has attained the age of sixteen years shall not be detained in a certified industrial school, except with his own consent in writing.

##### *Transfer to Another School by Secretary of State.*

42. The Secretary of State may at any time order a child to be transferred from one certified industrial school to another,

but so that the whole period of his detention be not thereby increased.

The Secretary of State may also at any time order a child being under sentence of detention in an industrial school established under any other Act of Parliament, the general rules for the government whereof have been approved by the Secretary of State, to be transferred to a certified industrial school under this Act; and in that case the child shall after the transfer be deemed to be subject in all respects to the provisions of this Act, but so that the whole period of his detention be not by such transfer increased.

The Commissioners of Her Majesty's Treasury may pay, out of money provided by Parliament for the purpose, such sum as the Secretary of State thinks fit to recommend, in discharge of the expenses of the removal of any child transferred under the provisions of this Act.

#### *Discharge by Secretary of State.*

43. The Secretary of State may at any time order any child to be discharged from a certified industrial school or from any industrial school established under any other Act of Parliament, the general rules for the government whereof have been approved by the Secretary of State, either absolutely or on such condition as the Secretary of State approves, and the child shall be discharged accordingly.

#### WITHDRAWAL, ETC., OF CERTIFICATE OF SCHOOL.

##### *Power for Secretary of State to Withdraw Certificate.*

44. The Secretary of State, if dissatisfied with the condition of a certified industrial school, may at any time, by notice under his hand addressed to and served on the managers thereof, declare that the certificate of the school is withdrawn as from a time specified in the notice, not being less than six months after the date thereof; and at that time the certificate shall be deemed to be withdrawn accordingly, and the school shall thereupon cease to be a certified industrial school.

##### *Resignation of Certificate by Managers.*

45. The managers or the executors or administrators of a deceased manager (if only one) of a certified industrial school may give notice in writing to the Secretary of State of their intention to resign the certificate of that school, and at the expiration in the case of the managers of six months, and in the case of executors or administrators of one month, from the receipt of that notice by the Secretary of State (unless before that time the notice is withdrawn) the certificate shall be deemed to be resigned accordingly, and the school shall thereupon cease to be a certified industrial school.

*Gazetting and Evidence of Withdrawal, etc.*

46. A notice of the withdrawal or resignation of the certificate of a certified industrial school shall within one month be inserted by Order of the Secretary of State in the London or in the Edinburgh Gazette, according as the School is in England or Scotland.

A copy of the Gazette containing such notice shall be conclusive evidence of such withdrawal or resignation.

A certificate shall be presumed to be in force until the withdrawal or resignation thereof is proved.

*Cesser of Reception of Children on Notice, etc.*

47. Where notice is given of the withdrawal or resignation of the certificate of a certified industrial school no child shall be received into the school for detention under this Act after the receipt by the managers of the school of the notice of withdrawal, or after the date of the notice of resignation, as the case may be; but the obligation of the managers to teach, train, clothe, lodge, and feed any children detained in the school at the time of such receipt or at the date of such notice shall, except as far as the Secretary of State otherwise directs, be deemed to continue until the withdrawal or resignation of the certificate takes effect, or until the contribution out of money provided by Parliament towards the custody and maintenance of the children detained in the school is discontinued, whichever shall first happen.

*Discharge of Children Detained, etc.*

48. Where a school ceases to be a certified industrial school the children detained therein shall be either discharged or transferred to some other certified industrial school by order of the Secretary of State.

## HOUSES OF REFUGE, ETC., IN SCOTLAND.

*In Scotland Power for Industrial Schools under Local Acts, etc., to Receive Children.*

49. Where in any city, town, or place in Scotland there has been erected, under Local Act of Parliament or otherwise, any house of refuge for destitute children or any industrial school, or other similar institution, the commissioners, directors, or managers thereof may receive and maintain therein, if willing to do so, all such children as are sent thereto under this Act, and may pay such portion of the fund under their control as they think proper for the training, maintenance, and disposal of such children: provided that such house of refuge, school, or institution is certified as an industrial school under this Act, and the rules thereof and all alterations thereof from time to time are approved by the Secretary of State.

## EXPENSES OF PRISON AUTHORITIES, ETC.

*Expenses of Prison Authorities and County Boards, how Defrayed.*

50. Expenses incurred by a Prison Authority in England in carrying into effect the provisions of this Act shall be deemed expenses incurred by that authority in carrying into effect the provisions of the Prison Act, 1865, and shall be defrayed accordingly.

Expenses incurred by a county board in Scotland in carrying into effect the provisions of this Act shall be a charge on the assessment for current expenses incurred by that board in carrying into effect the provisions of the Prisons (Scotland) Administration Act, 1860.

## MISCELLANEOUS.

*Acts Regulating Procedure.*

51. The following Acts—

In England, the Act of the Session of the eleventh and twelfth years of Her Majesty's reign (chapter forty-three), "to facilitate the performance of the duties of justices of the peace out of sessions, within England and Wales, with respect to summary convictions and orders," and any Acts amending the same;

In Scotland, the Summary Procedure Act, 1864,—

Shall apply to all offences, payments, and orders in respect of which jurisdiction is given to justices or a magistrate by this Act, or which are by this Act directed to be prosecuted, enforced, or made in a summary manner or on summary conviction.

*Use of Forms in Schedule.*

52. No summons, notice, or order made for the purpose of carrying into effect the provisions of this Act shall be invalidated for want of form only; and the forms in the schedule to this Act annexed, or forms to the like effect, may be used in the cases to which they refer, with such variations as circumstances require, and when used shall be deemed sufficient.

*Service of Notices on Managers.*

53. Any notice may be served on the managers of a certified industrial school by being delivered to any one of them personally, or being sent by post or otherwise in a letter addressed to them or any of them at the school, or at the usual or last known place or abode of any of the managers, or of their secretary.



*Application of Act to Existing Certified Schools.*

54. This Act shall apply to all certified industrial schools being such at the passing of this Act, and to all children sent thereto before the passing of this Act, but no child shall be detained at any industrial school, in pursuance of any order made before the passing of this Act, for a longer period than he would have been liable to be detained if this Act had not been passed.

## THE FIRST SCHEDULE.

*Acts Repealed.*


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|                       |   |
|-----------------------|---|
| 24 & 25 Vict. c. 113. | The Industrial Schools Act, 1861.   |
| 24 & 25 Vict. c. 132. | The Industrial Schools (Scotland) Act, 1861.  |
| 25 & 26 Vict. c. 10.  | An Act for continuing for a further limited time, and for extending the operation of orders made under the Industrial Schools Act, 1861, and the Industrial Schools (Scotland) Act, 1861. |

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## THE SECOND SCHEDULE.

## FORMS.

## (A.)

## ORDER SENDING CHILD TO INDUSTRIAL SCHOOL.

To Wit,—

Be it remembered, that on the \_\_\_\_\_ day of \_\_\_\_\_ in pursuance of the Industrial Schools Act, 1866, we two of Her Majesty's Justices of the Peace for the said (County) of \_\_\_\_\_, do order that A.B., of \_\_\_\_\_ (whose religious persuasion appears to us to be \_\_\_\_\_), being a child subject to the provisions of section \_\_\_\_\_ of the said Act, be sent to the certified industrial school at \_\_\_\_\_, and that he be detained there during \_\_\_\_\_

(Signed) *L.M.*  
*N.O.*

## (C.)

## COMPLAINT FOR ENFORCING IN ENGLAND CONTRIBUTION FROM PARENT, ETC.

To Wit,—

The complaint of the Inspector of Industrial Schools (or as the case may be) made to us, the undersigned, two of Her Majesty's

Justices of the Peace for the said county of \_\_\_\_\_, this  
 day of \_\_\_\_\_ at \_\_\_\_\_ in the same county, who says,  
 that one A.B. of (\*) the age of \_\_\_\_\_ years, or thereabouts,  
 is now detained in the industrial school at \_\_\_\_\_, in the  
 county of \_\_\_\_\_, under the Industrial Schools Act,  
 1866, and has been duly ordered and directed to be detained  
 therein until the \_\_\_\_\_ day of \_\_\_\_\_ : That one C.B.  
 dwelling in the parish of \_\_\_\_\_ in the county of \_\_\_\_\_  
 is the parent (or step-parent, etc.) of the said A.B., and is of  
 sufficient ability to contribute to the support and maintenance  
 of the said A.B., his son : (\*) The said complainant therefore  
 prays the said C.B. may be summoned to show cause why an  
 order should not be made on him so to contribute.

Exhibited before us,

C.D.

J.S.

L.M.

(D.)

#### SUMMONS TO PARENT, ETC.

*(This will be in Form (A.) in Schedule to 11 and 12 Vict. c. 41.)*

(E.)

#### ORDER ON PARENT, ETC., TO CONTRIBUTE A WEEKLY SUM.

To WIT,—

Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_  
 at \_\_\_\_\_ in the said (County) of \_\_\_\_\_, a certain  
 complaint of the Inspector of Industrial Schools (or as the case  
 may be, for that one A.B. of, etc. (stating the cause of complaint  
 as in the form (C).) between the asterisks (\*) (\*)), was duly heard  
 by and before us, the undersigned, two of Her Majesty's Justices  
 of the Peace in and for the said (county) of \_\_\_\_\_ (in the  
 presence and hearing of the said A.B., if so, or the said A.B. not  
 appearing to the summons duly issued and served in this behalf);  
 and we, having duly examined into the ability of the said C.B.,  
 and on consideration of all the circumstances of the case, do  
 order the said C.B. to pay to the said inspector (or to an agent  
 of the said inspector) the sum of \_\_\_\_\_ shillings per week from  
 the date of this order until the \_\_\_\_\_ day of \_\_\_\_\_,  
 the same to be paid at the expiration of each (fourteen, or as the  
 case may be, days).

Given under our hands and seals, the day and year first above  
 mentioned, at \_\_\_\_\_ in the (county) aforesaid.

J.S. (L.S.)

L.M. (L.S.)

(F.)

## DISTRESS WARRANT FOR AMOUNT IN ARREARS.

To Wit,—

To the constable of \_\_\_\_\_, and to all other peace officers in the said (county) of \_\_\_\_\_

WHEREAS on the hearing of a complaint made by the Inspector of Industrial Schools (or as the case may be), that A.B. of, etc. (stating the cause of complaint as in the Form (C.) between the asterisks (\*) (\*)), an order was made on the \_\_\_\_\_ day of \_\_\_\_\_ by us, the undersigned (or by L.M. and J.H.), two of Her Majesty's Justices of the Peace in and for the said (county) of \_\_\_\_\_ against the said A.B., to pay to the said inspector (or as the case may be), the sum of \_\_\_\_\_ per week from the date of the said order until the \_\_\_\_\_ day of \_\_\_\_\_, the same to be paid at the expiration of each (twenty-eight) days (or as the case may be) (\*): And whereas there is due upon the said order the sum of \_\_\_\_\_ being for (three) periods of (fourteen) days each, and default has been made therein for the space of fourteen days:

These are therefore to command you, in Her Majesty's name, forthwith to make distress of the goods and chattels of the said A.B., and if within the space of (five) days next after the making of such distress the said last-mentioned sum, together with the reasonable charges of taking and keeping the said distress, is not paid, that then you do sell the said goods and chattels so by you distrained, and do pay the money arising from such sale to \_\_\_\_\_ the Clerk of the Justices of the Peace for the \_\_\_\_\_ of \_\_\_\_\_ that he may pay and apply the same as by law directed, and may render the overplus (if any), on demand, to the said A.B.; and if no such distress can be found, then that you certify the same to us, to the end that such proceedings may be had therein as the law requires.

Given under our hands and seals, this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ in the (county) aforesaid.

J.S. (L.S.)

L.M. (L.S.)

(G.)

## COMMITTAL IN DEFAULT OF DISTRESS.

To Wit,—

To the Constable of \_\_\_\_\_ and to the Keeper of the (Prison) at \_\_\_\_\_ in the said (county) of \_\_\_\_\_

WHEREAS (etc., as in the form (F.) to the single asterisk (\*), and then thus): And whereas afterwards, on the \_\_\_\_\_ day of \_\_\_\_\_ last I, the undersigned, together with L.M., Esquire (or J.S., and L.M., Esquires), two of Her Majesty's Justices of the Peace in and for the said (county) of \_\_\_\_\_, issued a warrant to the

Constable of \_\_\_\_\_ aforesaid, commanding him to levy the sum of \_\_\_\_\_ due upon the said recited order, being for (three) periods of (fourteen) days, by distress and sale of the goods and chattels of the said A.B. : and whereas a return has this day been made to me the said Justice (or the undersigned, one of Her Majesty's Justices of the Peace in and for the said (county) of \_\_\_\_\_), that no sufficient goods of the said A.B. can be found :

These are therefore to command you, the said Constable of \_\_\_\_\_ to take the said A.B., and him safely to convey to the (prison) at \_\_\_\_\_ aforesaid, and there deliver him to the keeper thereof, together with this precept : And I do hereby command you, the said keeper of the said (prison), to receive the said A.B. into your custody in the said (prison), there to imprison him for the term of \_\_\_\_\_, unless the said sum, and all costs and charges of the said distress, and of the commitment and conveying of the said A.B. to the said (prison), amounting to the sum of \_\_\_\_\_, shall be sooner paid unto you the said keeper : and for your so doing this shall be your sufficient warrant.

Given under my hand and seal, this \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord \_\_\_\_\_, at \_\_\_\_\_ in the (county) aforesaid.

*J.S.* (L.S.)

(H.)

#### ORDER IN SCOTLAND ON PARENT FOR PAYMENT TOWARDS MAINTENANCE OF CHILD.

THE Sheriff (or as the case may be) having considered the complaint of E.F., the Inspector of Industrial Schools, made under the Industrial Schools Act, 1866, and having heard parties thereon (or in the absence of C.D., designing him, duly cited, but not appearing), pursuant to the said Act, decerns C.D. complained on, weekly and every week from the \_\_\_\_\_ day of \_\_\_\_\_ to pay to the said E.F., or to his agent from time to time authorised to receive the same, the sum of \_\_\_\_\_ shillings for the maintenance and training of A.B., son (or as the case may be) of the said C.D., now detained in the Certified Industrial School of \_\_\_\_\_ under an order by \_\_\_\_\_ of date \_\_\_\_\_ until the said child attains the age of sixteen years or is lawfully discharged from the said school, and grants warrants of arrestment to be executed by any constable or messenger-at-arms.

Given under my hand, this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ in the county aforesaid.

(Magistrate's signature.)



REFORMATORY AND INDUSTRIAL SCHOOLS ACTS  
AMENDMENT ACT, 1872.

(35 AND 36 VICT. c. 21.)

WHEREAS it is expedient to enlarge the powers now given to prison authorities in England by the Reformatory Schools Act, 1866, sec. 28, and by the Industrial Schools Act, 1866, sec. 12: Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same:

*Short Title.*

1. This Act may be cited as the Reformatory and Industrial Schools Acts Amendment Act, 1872.

*Extent of Act.*

2. This Act shall not extend to Scotland or Ireland.

PART I.

REFORMATORY SCHOOLS.

*Interpretation.*

3. This part of this Act shall be construed as one with the Reformatory Schools Act, 1866, and that Act and this part of this Act may be cited together as the Reformatory Schools Acts, 1866 and 1872.

*Extension of Power of Prison Authority.*

4. Whereas by sec. 28 of "The Reformatory Schools Act, 1866," it is provided that "a prison authority in England may from time to time contribute such sums of money, and upon such conditions as it may think fit, towards the alteration, enlargement, or rebuilding of a certified reformatory school, or towards the support of the inmates of such a school, or towards the management of such a school, or towards the establishment or building of a school intended to be a certified reformatory school, or towards the purchase of any land required for the use of an existing certified reformatory school, or for the site of any school intended to be a certified reformatory school," subject to the provisions therein contained: Be it enacted, that the said

section shall extend to authorise a prison authority in England themselves to undertake anything towards which they are authorised by that section to contribute; and "The Reformatory Schools Act, 1866," shall be construed as if in the said section, so far as it relates to England the expressions "contribute towards" and "contribution" included respectively "undertake" and "undertaking"; and the expenses of a prison authority in England incurred in pursuance of this section shall be defrayed accordingly.

*Power to Contribute Towards Ultimate Disposal of Inmates of Certified Reformatory Schools.*

5. A prison authority in England may contribute towards the ultimate disposal of any inmate of a certified reformatory school established by such authority in pursuance of this part of this Act, and the expenses incurred by a prison authority in England in pursuance of this section shall be deemed to be expenses incurred by such authority in carrying into effect the provisions of the Reformatory Schools Act, 1866.

## PART II.

### INDUSTRIAL SCHOOLS.

*Construction of Part of Act.*

6. This part of this Act shall be construed as one with "The Industrial Schools Act, 1866," and that Act and this part of this Act may be cited together as the Industrial Schools Acts, 1866 and 1872.

*Extension of Power of Prison Authorities.*

7. Whereas by sec. 12 of "The Industrial Schools Act, 1866," it is provided that "a prison authority in England may from time to time contribute such sums of money, and on such conditions, as they think fit, towards the alteration, enlargement, or rebuilding of a certified industrial school, or towards the support of the inmates of such school, or towards the management of such a school, or towards the establishment or building of a school intended to be a certified industrial school, or towards the purchase of land required either for the use of an existing certified industrial school, or for the site of a school intended to be a certified industrial school," subject to the provisoes therein contained: Be it enacted that the said section shall extend to authorise the prison authority themselves to undertake anything towards which they are authorised by that section to contribute; and "The Industrial Schools Act, 1866," shall be construed as if in the said section,

so far as it relates to England, the expressions "contribute towards" and "contribution" included respectively "undertake" and "undertaking"; and the expenses of a prison authority in England incurred in pursuance of this section shall be defrayed accordingly.

*Application and Amendment of 33 and 34 Vict. c. 75, s. 27,  
as to Industrial Schools.*

8. Whereas by sec. 27 of "The Elementary Education Act, 1870," it is enacted, that upon the election of a School Board in a borough, the council of that borough should cease to have power to contribute under sec. 12 of "The Industrial Schools Acts, 1866": Be it enacted, that the said enactment shall extend to all powers conferred on a prison authority by this part of this Act, and the date at which the power of a prison authority of a borough, who have during not less than six months before the election of a school board in such borough contributed to or maintained any industrial school, ceases in pursuance of the said enactment, shall be and be deemed always to have been the date at which the school board in the borough resolve, in the manner and with the approval (if any) provided by sec. 12 of "The Industrial Schools Act, 1866," to contribute, in pursuance of that section, to the industrial school to which the prison authority have so contributed, or, as the case may be, resolve, under the provisions of and with the consent required by "The Elementary Education Act, 1870," to maintain such industrial school; provided that any such industrial school which was so maintained by the prison authority may, notwithstanding any such resolution, continue to be maintained by the prison authority, unless they agree to transfer such school to the school board.

*Power to Contribute Towards Ultimate Disposal of Inmates of  
Certified Industrial Schools.*

9. A prison authority in England may contribute towards the ultimate disposal of any inmate of a certified industrial school established by such authority in pursuance of this part of this Act, and the expenses incurred by a Prison Authority in England in pursuance of this section shall be deemed to be expenses incurred by such authority in carrying into effect the provisions of the Industrial Schools Act, 1866.

## INDUSTRIAL SCHOOLS ACTS AMENDMENT ACT, 1880.

(43 AND 44 VICT. c. 15.)

WHEREAS it is expedient that children who are growing up in the society of depraved and disorderly persons should be withdrawn from contaminating influences, and that the benefits of industrial school training should be extended to them :

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

*Extension of 29 and 30 Vict. c. 118, sec. 14, and 31 and 32 Vict. c. 25, sec. 11, to other Descriptions of Children.*

1. Section 14 of the Industrial Schools Act, 1866, and sec. 11 of the Industrial Schools Act (Ireland), 1868, shall be respectively read and construed as if, after the four several descriptions therein respectively contained, there were added the following descriptions, namely :

That is lodging, living, or residing with common or reputed prostitutes, or in a house resided in or frequented by prostitutes for the purpose of prostitution :

That frequents the company of prostitutes.

*Short Title.*

2. This Act may be cited for all purposes as the Industrial Schools Acts Amendment Act, 1880.

## REFORMATORY AND INDUSTRIAL SCHOOLS ACT, 1891.

(54 AND 55 VICT. c. 23.)

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :



*Power to Apprentice or Dispose of Child.*

1. If any youthful offender or child detained in or placed out on licence from a certified reformatory or industrial school conducts himself well, the managers of the school may, with his own consent, apprentice him to, or dispose of him, in any trade, calling, or service, or by emigration, notwithstanding that his period of detention has not expired, and such apprenticing or disposition shall be as valid as if the managers were his parents.

Provided that where he is to be disposed of by emigration, and in any case unless he has been detained for twelve months, the consent of the Secretary of State shall also be required for the exercise of any power under this section.

*Short Title and Extent of Act.*

2. This Act may be cited as the Reformatory and Industrial Schools Act, 1891, and it shall not apply to Ireland.

## INDUSTRIAL SCHOOLS ACTS AMENDMENT ACT, 1894.

(57 AND 58 VICT. C. 33.)

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

*Supervision of Children after Discharge from Industrial Schools.*

1. (1) Every child sent to an industrial school after the passing of this Act shall, from the expiration of the period of his detention at such school, remain up to the age of eighteen under the supervision of the managers of the school.
- (2) The managers may grant to any child under their supervision a licence in the manner provided by sec. 27 of the Industrial Schools Act, 1866 (29 and 30 Vict. c. 118), and may revoke any such licence, and recall the child to the school; and any child so recalled may be detained in the school for a period not exceeding three months, and may at any time be again placed out on licence: Provided that—

- (a) A child shall not be recalled unless the managers are of opinion that the recall is necessary for the protection of the child; and
  - (b) The managers shall send to the Secretary of State an immediate notification of the recall of any child, and shall state the reasons for the recall; and
  - (c) They shall again place the child out as soon as possible, and at latest within three months after the recall, and shall forthwith notify the Secretary of State that the child has been placed out.
- (3) A licence granted to a child within three months before attaining the age of sixteen shall continue in force after the child attains that age and may be revoked or renewed in the manner provided by sec. 27 of the Industrial Schools Act, 1866.

*Penalty for Inducing Child Placed on Licence to Escape.*

2. Section 34 of the Industrial Schools Act, 1866, shall be read and construed as if after the three offences therein severally specified there were added the following offence, namely—

FOURTH.—Knowingly assist or induces, directly or indirectly, a child placed on licence to escape from any person with whom the child is so placed on licence, or prevents the child from returning to any person aforesaid.

*Provision as to Children Detained under Existing Orders.*

3. Any child detained in an industrial school at the passing of this Act may consent in writing to come under the provisions of this Act, and thereupon the Secretary of State, if satisfied that the consent was given voluntarily, and with full knowledge of its effect, may order that the provisions of this Act shall apply to the child, and they shall apply accordingly.

*Saving for Children Detained under Attendance Order.*

4. Nothing in this Act shall apply to any child committed to an industrial school under the Elementary Education Acts, 1870 to 1893.

*Short Title and Construction.*

5. This Act may be cited for all purposes as the Industrial Schools Acts Amendment Act, 1894, and shall be construed as one with the Industrial Schools Act, 1866, and that Act and this Act may be cited together as the Industrial Schools Acts, 1866 and 1894.

THE PREVENTION OF CRUELTY TO CHILDREN ACT, 1894.

(57 AND 58 VICT. C. 41.)

*Punishment for Cruelty to Children.*

1.—(1) If any person over the age of sixteen years who has the custody, charge, or care of any child under the age of sixteen years, wilfully assaults, ill-treats, neglects, abandons, or exposes such child, or causes or procures such child to be assaulted, ill-treated, neglected, abandoned, or exposed in a manner likely to cause such child unnecessary suffering, or injury to its health (including injury to or loss of sight, or hearing, or limb, or organ of the body, and any mental derangement), that person shall be guilty of a misdemeanour; and

- (a) On conviction on indictment, shall be liable, at the discretion of the court, to a fine not exceeding one hundred pounds, or alternatively, or in default of payment of such fine, or in addition thereto, to imprisonment, with or without hard labour, for any term not exceeding two years; and
- (b) On summary conviction shall be liable, at the discretion of the court, to a fine not exceeding twenty-five pounds, or alternatively, or in default of payment of such fine, or in addition thereto, to imprisonment, with or without hard labour, for any term not exceeding six months.

(2) A person may be convicted of an offence under this section either on indictment or by a court of summary jurisdiction notwithstanding the death of the child in respect of whom the offence is committed.

(3) If it is proved that a person indicted under this section was interested in any sum of money accruable or payable in the event of the death of the child, and had knowledge that such sum of money was accruing or becoming payable, the court, in its discretion, may

- (a) Increase the amount of the fine under this section so that the fine does not exceed two hundred pounds; or
- (b) In lieu of awarding any other penalty under this section, sentence the person indicted to penal servitude for any term not exceeding five years.

(4) A person shall be deemed to be interested in a sum of money under this section if he has any share in or any benefit from the payment of that money, though he is not a person to whom it is legally payable.

(5) An offence under this section is in this Act referred to as an offence of cruelty.

*Restrictions on Employment of Children.*

2.—If any person—

- (a) Causes or procures any child, being a boy under the age of fourteen years, or being a girl under the age of sixteen years, or having the custody, charge, or care of any such child, allows that child to be in any street, premises, or place for the purpose of begging or receiving alms, or of inducing the giving of alms, whether under the pretence of singing, playing, performing, offering anything for sale, or otherwise; or

- (b) Causes or procures any child, being a boy under the age of fourteen years, or being a girl under the age of sixteen years, or, having the custody, charge, or care of any such child, allows that child to be in any street, or in any premises licensed for the sale of any intoxicating liquor, other than premises licensed according to law for public entertainment, for the purpose of singing, playing, or performing for profit, or offering anything for sale, between nine p.m. and six a.m.; or
- (c) Causes or procures any child under the age of eleven years, or, having the custody, charge, or care of any such child, allows that child to be at any time in any street, or in any premises licensed for the sale of any intoxicating liquor, or in premises licensed according to law for public entertainments, or in any circus or other place of public amusement to which the public are admitted by payment, for the purpose of singing, playing, or performing for profit, or offering anything for sale; or
- (d) Causes or procures any child under the age of sixteen years, or, having the custody, charge, or care of any such child, allows that child to be in any place for the purpose of being trained as an acrobat, contortionist, or circus performer, or of being trained for any exhibition or performance which in its nature is dangerous.

that person shall, on summary conviction, be liable, at the discretion of the court, to a fine not exceeding twenty-five pounds, or alternatively, or in default of payment of such fine, or in addition thereto, to imprisonment, with or without hard labour, for any term not exceeding three months.

Provided that—

- (i.) This section shall not apply in the case of any occasional sale or entertainment the net proceeds of which are wholly applied for the benefit of any school or to any charitable object, if such sale or entertainment is held elsewhere than in premises which are licensed for the sale of any intoxicating liquor but not licensed according to law for public entertainments, or if, in the case of a sale or entertainment held in any such premises as aforesaid, a special exemption from the provisions of this section has been granted in writing under the hands of two justices of the peace; and
- (ii.) Any local authority may, if they think it necessary or desirable so to do, from time to time by bye-law extend or restrict the hours mentioned in paragraph (b) of this section, either on every day or on any specified day or days of the week, and either as to the whole of their district or as to any specified area therein; and
- (iii.) Paragraphs (c) and (d) of this section shall not apply in any case in respect of which a licence granted under this Act is in force, so far as that licence extends; and
- (iv.) Paragraph (d) of this section shall not apply in the case of a person who is the parent or legal guardian of a child, and himself trains the child.

#### *Licences for Employment of Children.*

3.—(1) A petty sessional court, or in Scotland the School Board, may, notwithstanding anything in this Act, grant a licence for such time and during such hours of the day, and subject to such restric-



tions and conditions as the court or board think fit, for any child exceeding seven years of age—

- (a) To take part in any entertainment or series of entertainments to take place in premises licensed according to law for public entertainments, or in any circus or other place of public amusement as aforesaid; or
- (b) To be trained as aforesaid; or
- (c) For both purposes;

if satisfied of the fitness of the child for the purpose, and if it is shown to their satisfaction that proper provision has been made to secure the health and kind treatment of the children taking part in the entertainment or series of entertainments or being trained as aforesaid, and the court or board may, upon sufficient cause, vary, add to, or rescind any such licence.

Any such licence shall be sufficient protection to all persons acting under or in accordance with the same.

(2) A Secretary of State may assign to any inspector appointed under section sixty-seven of the Factory and Workshop Act, 1878, specially and in addition to any other usual duties, the duty of seeing whether the restrictions and conditions of any licence under this section are duly complied with, and any such inspector shall have the same power to enter, inspect, and examine any place of public entertainment at which the employment of a child is for the time being licensed under this section as an inspector has to enter, inspect, and examine a factory or workshop under section sixty-eight of the same Act.

(3) Where any person applies for a licence under this section he shall, at least seven days before making the application, give notice thereof to the chief officer of police for the district in which the licence is to take effect, and that officer may appear or instruct some person to appear before the authority hearing the application, and show cause why the licence should not be granted, and the authority to whom the application is made shall not grant the same unless they are satisfied that notice has been properly so given.

(4) Where a licence is granted under this section to any person, that person shall, not less than ten days after the granting of the licence, cause a copy thereof to be sent to the inspector of factories and workshops acting for the district in which the licence is to take effect, and if he fails to cause such copy to be sent, shall be liable on summary conviction to a fine not exceeding five pounds.

(5) Nothing in this or in the last preceding section shall affect the provisions of the Elementary Education Act, 1876, or the Education (Scotland) Act, 1878.

*Power to take Offenders into Custody.*

4.—(1) Any constable may take into custody, without warrant, any person—

- (a) Who within view of such constable commits an offence under this Act, or any of the offences mentioned in the schedule to this Act, where the name and residence of such person are unknown to such constable and cannot be ascertained by such constable; or
- (b) Who has committed or who he has reason to believe has committed any offence of cruelty within the meaning of this Act, or any of the offences mentioned in the schedule to this Act, if he has reasonable ground for believing that such person will abscond, or if the name and address of such person are unknown to and cannot be ascertained by the constable.

(2) Where a constable arrests any person without warrant in pursuance of this section, the inspector or constable in charge of the station to which such person is conveyed shall, unless in his belief the release of such person on bail would tend to defeat the ends of justice, or to cause injury or danger to the child against whom the offence is alleged to have been committed, release the person arrested on his entering into such a recognisance, with or without sureties, as may in his judgment be required to secure the attendance of such person upon the hearing of the charge.

*Detention of Child in Place of Safety.*

5.—(1) A constable may take to a place of safety any child in respect of whom an offence under paragraph (a) of section 2 of this Act has been committed, or in respect of whom an offence of cruelty within the meaning of this Act, or any of the offences mentioned in the schedule of this Act has been, or there is reason to believe has been, committed.

(2) A child so taken to a place of safety, and also any child under the age of sixteen years who seeks refuge in a place of safety, may there be detained until it can be brought before a court of summary jurisdiction, and that court may make such order as is mentioned in the next following sub-section, or may cause the child to be dealt with as circumstances may admit and require until the charge made against any person in respect of any offence as aforesaid with regard to the child has been determined by the committal for trial, or conviction, or discharge of such person.

(3) Where it appears to a court of summary jurisdiction or any justice that an offence of cruelty within the meaning of this Act or any of the offences mentioned in the schedule to this Act has been committed in the case of any child that is brought before such court or justice, and that the health or safety of the child will be endangered unless an order is made under this sub-section, the court or justice may, without prejudice to any other power under this Act, make such order as circumstances require for the care and detention of the child until a reasonable time has elapsed for a charge to be made against some person for having committed the offence, and, if a charge is made against any person within that time, until the charge has been determined by the committal for trial or conviction or discharge of that person, and any such order may be carried out notwithstanding that any person claims the custody of the child.

(4) Boards of guardians, and, in Scotland, parochial boards, shall provide for the reception of children brought to a workhouse in pursuance of this Act, and where the place of safety to which a constable takes a child is a workhouse, the master shall receive the child into the workhouse if there is suitable accommodation therein for the same, and shall detain the child until the case is determined, and any expenses incurred in respect of the child shall be deemed to be expenses incurred in the relief of the poor.

*Disposal of Child by Order of Court.*

6.—(1) Where a person having the custody, charge, or care of a child under the age of sixteen years has been—

- (a) Convicted of committing in respect of such child an offence of cruelty within the meaning of this Act, or any of the offences mentioned in the schedule to this Act; or
- (b) Committed for trial for any such offence; or
- (c) Bound over to keep the peace towards such child,

by any court, that court either at the time when the person is so convicted, committed for trial, or bound over, and without requiring any new proceedings to be instituted for the purpose, or at any other time, and also any petty sessional court before which any person may bring the case, may, if satisfied on inquiry that it is expedient so to deal with the child, order that the child be taken out of the custody of the person so convicted, committed for trial, or bound over, and be committed to the custody of a relation of the child, or some other fit person named by the court (such relation or other person being willing to undertake such custody), until it attains the age of sixteen years, or for any shorter period, and may of its own motion or on the application of any person from time to time by order renew, vary, and revoke any such order; but no order shall be made under this section unless a parent of the child has been convicted of or committed for trial for the offence, or is under committal for trial for having been or has been proved to have been party or privy to the offence, or has been bound over to keep the peace towards such child.

(2) Every order under this section shall be in writing, and any such order may be made by the court in the absence of the child; and the consent of any person to undertake the custody of a child in pursuance of any such order shall be proved in such manner as the court may think sufficient to bind him.

(3) Where an order is made under this section in respect of a person who has been committed for trial, then if that person is acquitted of the charge, or if the charge is dismissed for want of prosecution, the order shall forthwith be void except with regard to anything that may have been lawfully done under it.

(4) A Secretary of State in England, and in Scotland the Secretary for Scotland, and in Ireland the Lord Lieutenant of Ireland, may at any time in his discretion discharge a child from the custody of any person to whose custody it is committed in pursuance of this section, either absolutely or on such conditions as such Secretary of State, Secretary, or Lord Lieutenant, approves, and may, if he thinks fit, make rules in relation to children so committed to the custody of any person, and to the duties of such persons with respect to such children.

(5) A Secretary of State, in any case where it appears to him to be for the benefit of a child who has been committed to the custody of any person in pursuance of this section, may empower such person to procure the emigration of the child, but, except with such authority, no person to whose custody a child is so committed shall procure its emigration.

*Maintenance of Child when Committed to Custody of any Person under Order of Court.*

7.—(1) Any person to whose custody a child is committed under this Act shall, whilst the order is in force, have the like control over the child as if he were its parent, and shall be responsible for its maintenance, and the child shall continue in the custody of such person, notwithstanding that it is claimed by its parent.

(2) Any court having power so to commit a child shall have power to make the like orders on the parent of the child to contribute to its maintenance during such period as aforesaid as if the child were detained under the Industrial Schools Acts, but the limit on the amount of the weekly sum which the parent of a child may be required, under this section, to contribute to its maintenance shall be one pound a week instead of the limit fixed by the Industrial Schools Acts.

(3) Any such order may be made on the complaint or application of the person to whose custody the child is for the time being committed, and either at the time when the order for the child's committal to custody is made, or subsequently, and the sums contributed by the parent shall be paid to such person as the court may name, and be applied for the maintenance of the child.

(4) If a person fails to pay any sum payable by him in pursuance of any such order, he may be dealt with in like manner as if the sum were due from him in pursuance of an order under the Bastardy Law Amendment Act, 1872, or in Scotland were a sum decreed for aliment, or in Ireland were a sum ordered to be paid by him under the Summary Jurisdiction (Ireland) Acts.

(5) Where an order under this Act to commit a child to the custody of some relation or other person is made in respect of a person who has been committed for trial for an offence, the court shall not have power to order the parent of the child to contribute to its maintenance prior to the trial of that person.

*Religious Persuasion of Person to whom Child is Committed.*

8.—(1) In determining on the person to whose custody the child shall be committed under this Act, the court shall endeavour to ascertain the religious persuasion to which the child belongs, and shall, if possible, select a person of the same religious persuasion, or a person who gives such undertaking as seems to the court sufficient that the child shall be brought up in accordance with its own religious persuasion, and such religious persuasion shall be specified in the order.

(2) In any case where the child has been placed pursuant to any such order with a person who is not of the same religious persuasion as that to which the child belongs or who has not given such undertaking as aforesaid the court shall, on the application of any person in that behalf, and on its appearing that a fit person who is of the same religious persuasion or who will give such undertaking as aforesaid, is willing to undertake the custody, make an order to secure his being placed with a person who either is of the same religious persuasion or gives such undertaking as aforesaid.

(3) Where a child has been placed with a person who gives such undertaking as aforesaid, and the undertaking is not observed, the child shall be deemed to have been placed with a person not of the same religious persuasion as that to which the child belongs as if no such undertaking had been given.

*Interchange of Powers under Industrial Schools Acts and this Act.*

9.—(1) Where any child under the age of sixteen years is brought before a petty sessional court under circumstances authorising the court to deal with the child under the Industrial Schools Acts, the court, if it thinks fit, in lieu of ordering that the child be sent to an industrial school, may make an order under this Act for the committal of the child to the custody of a relation or person named by the court.

(2) Where a court orders a child to be sent to an industrial school, the order may, at the discretion of the court, be made to take effect either immediately or at any later time specified therein, regard being had to the age or health of the child; and if the order is not made to take effect immediately, or if at the time specified for the order to take effect the child is deemed unfit to be sent to an industrial school, the court may commit the child to the custody of a relation or person named by the court, as provided by this Act, until the time so specified or the time when the order actually takes effect.



*Warrant to Search for or Remove a Child.*

10.—(1) If it appears to any stipendiary magistrate or to any two justices of the peace, on information made before him or them on oath by any person who, in the opinion of the magistrate or justices, is *bonâ fide* acting in the interests of a child under the age of sixteen years, that there is reasonable cause to suspect that such a child has been or is being assaulted, ill-treated, or neglected in any place within the jurisdiction of such magistrate or justices in a manner likely to cause the child unnecessary suffering or to be injurious to its health, or that any offence mentioned in the schedule to this Act has been or is being committed in respect of such a child, such magistrate or justices may issue a warrant authorising any person named therein to search for such child, and if it is found to have been or to be assaulted, ill-treated, or neglected in manner aforesaid, or that any such offence as aforesaid has been or is being committed in respect of the child, to take it to and detain it in a place of safety until it can be brought before a court of summary jurisdiction, or authorising any person to remove the child with or without search to a place of safety and detain it there until it can be brought before a court of summary jurisdiction; and the court before whom the child is brought may cause it to be dealt with in the manner provided by section five of this Act.

Provided that—

(a) The powers hereinbefore conferred on any two justices may be exercised by any one justice, if upon the information it appears to him to be a case of emergency.

(2) Any person issuing a warrant under this section may by the same warrant cause any person accused of any offence in respect of the child to be apprehended and brought before a justice, and proceedings to be taken for punishing such person according to law.

(3) Any person authorised by warrant under this section to search for any child, or to remove any child with or without search, may enter (if need be by force) any house, building, or other place specified in the warrant, and may remove the child therefrom.

(4) Every warrant issued under this section shall be addressed to and executed by some superintendent, inspector, or other superior officer of police, who shall be accompanied by the person making the information, if such person so desire, unless the persons by whom the warrant is issued otherwise direct, and may also, if the persons by whom the warrant is issued so direct, be accompanied by a registered medical practitioner.

(5) It shall not be necessary in any information or warrant under this section to name the child.

*Power as to Habitual Drunkards.*

11.—Where it appears to the court by or before which any person is convicted of the offence of cruelty within the meaning of this Act, or of any of the offences mentioned in the schedule to this Act, that person is a parent of the child in respect of whom the offence was committed, or is living with the parent of the child, and is an habitual drunkard within the meaning of the Inebriates Acts, 1879 and 1888, the court, in lieu of sentencing such person to imprisonment, may, if it thinks fit, make an order for his detention for any period named in the order not exceeding twelve months in a retreat under the said Acts, the licensee of which is willing to receive him, and the said order shall have the like effect, and copies thereof shall be sent to the local authority and Secretary of State in like manner as if

it were an application duly made by such person and duly attested by two justices under the said Acts; and the court may order an officer of the court or constable to remove such person to the retreat, and on his reception the said Acts shall have effect as if he had been admitted in pursuance of an application so made and attested as aforesaid:

Provided that—

- (a) An order for the detention of a person in a retreat shall not be made under this section unless that person, having had such notice as the court deems sufficient of the intention to allege habitual drunkenness, consents to the order being made; and,
- (b) If the wife or husband of such person, being present at the hearing of the charge, objects to the order being made, the court shall, before making the order, take into consideration any representation made to it by the wife or husband; and
- (c) Before making the order the court shall, to such extent as it may deem reasonably sufficient, be satisfied that provision will be made for defraying the expenses of such person during detention in a retreat.

*Evidence of Accused Person.*

12.—In any proceedings against any person for an offence under this Act or for any of the offences mentioned in the schedule to this Act, such person shall be competent but not compellable to give evidence, and the wife or husband of such person may be required to attend to give evidence as an ordinary witness in the case, and shall be competent but not compellable to give evidence.

*Extension of Power to take Deposition of Child.*

13.—(1) Where a justice is satisfied by the evidence of a registered medical practitioner that the attendance before a court of any child, in respect of whom an offence of cruelty within the meaning of this Act or any of the offences mentioned in the schedule to this Act is alleged to have been committed, would involve serious danger to its life or health, the justice may take in writing the deposition of such child on oath, and shall thereupon subscribe the same and add thereto a statement of his reason for taking the same, and of the day when and place where the same was taken, and of the names of the persons (if any) present at the taking thereof.

(2) The justice taking any such deposition shall transmit the same with his statement—

- (a) If the deposition relates to an offence for which any accused person is already committed for trial, to the proper officer of the court for trial at which the accused person has been committed; and
- (b) In any other case to the clerk of the peace of the county or borough in which the deposition has been taken;

and the clerk of the peace to whom any such deposition is transmitted shall preserve, file, and record the same.

*Admission of Deposition of Child in Evidence.*

14.—Where on the trial of any person on indictment for any offence of cruelty within the meaning of this Act, or any of the offences mentioned in the schedule to this Act, the court is satisfied by the evidence of a registered medical practitioner that the atten-

dance before the court of any child in respect of whom the offence is alleged to have been committed would involve serious danger to its life or health, any deposition of the child taken under the Indictable Offences Act, 1848, or the Indictable Offences (Ireland) Act, 1849, or the Petty Sessions (Ireland) Act, 1851, or this Act, shall be admissible in evidence either for or against the accused person without further proof thereof—

- (a) If it purports to be signed by the justice by or before whom it purports to be taken; and
- (b) If it is proved that reasonable notice of the intention to take the deposition has been served upon the person against whom it is proposed to use the same as evidence, and that that person or his counsel or solicitor had, or might have had if he had chosen to be present, an opportunity of cross-examining the child making the deposition.

*Evidence of Child of Tender Years.*

15.—(1) Where, in any proceeding against any person for an offence under this Act, or for any of the offences mentioned in the schedule to this Act, the child in respect of whom the offence is charged to have been committed, or any other child of tender years who is tendered as a witness, does not in the opinion of the court understand the nature of an oath, the evidence of such child may be received though not given upon oath, if, in the opinion of the court, such child is possessed of sufficient intelligence to justify the reception of the evidence, and understands the duty of speaking the truth: and the evidence of such child, though not given on oath but otherwise taken and reduced into writing, in accordance with the provisions of section seventeen of the Indictable Offences Act, 1848, or of section fourteen of the Petty Sessions (Ireland) Act, 1851, or of section thirteen of this Act, shall be deemed to a deposition within the meaning of those sections respectively:

Provided that—

- (a) A person shall not be liable to be convicted of the offence unless the testimony admitted by virtue of this section and given on behalf of the prosecution is corroborated by some other material evidence in support thereof implicating the accused; and
- (b) Any child whose evidence is received as aforesaid and who shall wilfully give false evidence shall be liable to be indicted and tried for such offence, and on conviction thereof may be adjudged such punishment as is provided for by section eleven of the Summary Jurisdiction Act, 1879, in the case of juvenile offenders, or in Ireland by section four of the Summary Jurisdiction over Children (Ireland) Act, 1884, in the case of children.

*Power to Proceed with Case in Absence of Child.*

16.—Where in any proceedings with relation to an offence of cruelty within the meaning of this Act, or any of the offences mentioned in the schedule to this Act, the court is satisfied by the evidence of a registered medical practitioner that the attendance before the court of any child in respect of whom the offence is alleged to have been committed would involve serious danger to its life or health, and is further satisfied that the evidence of the child is not essential to the just hearing of the case, the case may be proceeded with and determined in the absence of the child.

*Presumption of Age of Child.*

17.—Where a person is charged with an offence under this Act, or any of the offences mentioned in the schedule to this Act, in respect of a child who is alleged in the charge of indictment to be under any specified age, and the child appears to the court to be under that age, such child shall for the purposes of this Act be deemed to be under that age, unless the contrary is proved.

*Mode of Charging Offences and Limitation of Time.*

18.—(1) Where a person is charged with committing an offence under this Act, or any of the offences mentioned in the schedule to this Act, in respect of two or more children, the same information or summons may charge the offence in respect of all or any of them, but the person charged shall not be liable to a separate penalty for each child unless upon separate informations.

(2) The same information or summons may also charge the offences of assault, ill-treatment, neglect, abandonment, or exposure, together or separately, but when those offences are charged together the person charged shall not be liable to a separate penalty for each.

(3) A person shall not be summarily convicted of an offence under this Act or of an offence mentioned in the schedule to this Act unless the offence was wholly or partly committed within six months before the information was laid: but, subject as aforesaid, evidence may be taken of acts constituting, or contributing to constitute, the offence, and committed at any previous time.

(4) Where an offence under this Act or any offence mentioned in the schedule to this Act charged against any person is a continuous offence, it shall not be necessary to specify in the information, summons, or indictment, the date of the acts constituting the offence.

*Appeal from Summary Conviction to Quarter Sessions.*

19.—When, in pursuance of this Act, any person is convicted by a court of summary jurisdiction of an offence, and such person did not plead guilty or admit the truth of the information, or when in the case of any application under sections six, seven, or eight of this Act, other than an application to a judge or court of assize, any party thereto thinks himself aggrieved by any order or decision of the court, he may appeal against such a conviction, or order, or decision, in England and Ireland to a court of quarter sessions, and in Scotland to the High Court of Justiciary, in manner provided by the Summary Prosecutions Appeal (Scotland) Act, 1875, or any Act amending the same.

*Expenses of Prosecution.*

20.—(1) Where a misdemeanour under this Act is tried on indictment, the expenses of the prosecution shall be defrayed in like manner as in the case of a felony.

*Guardians must pay Costs of Proceedings.*

21.—A board of guardians, or in Scotland the parochial board of any parish or combination, may, out of the funds under their control, pay the reasonable costs and expenses of any proceedings which they have directed to be taken under this Act in regard to the assault, ill-treatment, neglect, abandonment, or exposure of any child, and, in the case of a union, shall charge such costs and expenses to the common fund.



*Provision as to Bye-laws.*

22.—Every bye-law under this Act shall be subject—

- (a) In England to section one hundred and eighty-four of the Public Health Act, 1875, as if every local authority in England under this Act were a local authority within the meaning of that section, but with the substitution of Secretary of State for the Local Government Board.

*Provision as to Parents and as to meaning of "Custody, Charge, or Care."*

23.—(1) The provisions of this Act relating to the parent of a child shall apply to the step-parent of the child and to any person cohabiting with the parent of the child, and the expression "parent" when used in relation to a child includes guardian and every person who is by law liable to maintain the child.

(2) This Act shall apply in the case of a parent who, being without means to maintain a child, fails to provide for its maintenance under the Acts relating to the relief of the poor, in like manner as if the parent had otherwise neglected the child.

(3) For the purposes of this Act—

Any person who is the parent of a child shall be presumed to have the custody of the child; and

Any person to whose charge a child is committed by its parent shall be presumed to have charge of the child; and

Any other person having actual possession or control of a child shall be presumed to have the care of the child.

*Right of Parent, etc., to Administer Punishment.*

24.—Nothing in this Act shall be construed to take away or affect the right of any parent, teacher, or other person having the lawful control or charge of a child to administer punishment to such child.

## YOUTHFUL OFFENDERS ACT, 1901.

An Act to amend the law relating to Youthful Offenders and for other purposes connected therewith.

17th August, 1901.

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

*Removal of Disqualification Attaching to Felony (50 and 51 Vict. c. 25; 42 and 43 Vict. c. 49; 29 and 30 Vict. c. 118).*

1.—Where a child or young person having been convicted of felony is discharged in accordance with Sec. 16 of the Summary Jurisdiction Act, 1879, or the Probation of First Offenders Act, 1887, or otherwise, or is punished with whipping only, the conviction shall not be regarded as a conviction of felony for the purposes of Sec. 15 of the Industrial Schools Act, 1866, or of any disqualification attaching to felony.

*Liability of Parent or Guardian in Case of Offence Committed by Child or Young Person.*

2.—(1) Where a child or young person is charged with any offence for the commission of which a fine, damages, or costs may be imposed upon him by a court of summary jurisdiction, and there is reason to believe that his parent or guardian has conduced to the commission of the alleged offence by wilful default or by habitually neglecting to exercise due care of him, the court may, on information, issue a summons against the parent or guardian of the child or young person charging him with so contributing to the commission of the offence.

(2) A summons to the child or young person may include a summons to the parent or guardian.

(3) The charge against the child or young person and the charge against the parent or guardian may be heard together, and for that purpose the proceedings against the child or young person may be adjourned.

(4) When, after hearing the case, any fine, damages, or costs are imposed upon the child or young person, and the court is satisfied that his parent or guardian has conduced to the commission of the offence by wilful default or by habitually neglecting to exercise due care of him, the court may order that the fine, damages, or costs shall be paid by the parent or guardian instead of by the child or young person, and may also order the parent or guardian to give security for the good behaviour of the child or young person.

(5) Any sums so imposed and ordered to be paid may be recovered from the parent or guardian by distress or imprisonment in manner provided by Sec. 21 of the Summary Jurisdiction Act, 1879.

(6) A parent or guardian may appeal against an order made under this section to a court of quarter sessions.

(7) Where a parent or guardian is ordered by the court to pay fine, damages, or costs, or to give security for the good behaviour of the child or young person, no further charge under this Act shall be brought against the parent or guardian in respect of any wilful default or habitual neglect to exercise due care of such child or young person prior to the making of such order, without prejudice to the liability of the parent or guardian for any subsequent wilful default or habitual neglect in respect of the same child or young person.

*Limitation of Costs.*

3.—Where a child or young person is ordered by a court of summary jurisdiction to pay costs in addition to a fine, the amount of the costs so ordered to be paid shall in no case exceed the amount of the fine, and, except so far as the court may think fit to expressly order otherwise, all fees payable or paid by the informant in excess of the amount of costs so ordered to be paid shall be remitted or repaid to him, and the court may also order the fine or any part thereof to be paid to the informant in or towards the payment of his costs.

*Remand or Committal to Place other than Prison.*

4.—(1) A court of summary jurisdiction, on remanding or committing for trial any child or young person, may, instead of committing him to prison, remand or commit him into the custody of any fit person named in the commitment who is willing to receive him (due regard being had, where practicable, to the religious persuasion of the child), to be detained in that custody for the period for which he has been remanded, or until he is thence delivered

by due course of law, and the person so named shall detain the child or young person accordingly, and if the child or young person escapes he may be apprehended without warrant and brought back to the custody in which he was placed.

(2) The court may also exercise the like powers pending any inquiry concerning a child under Sec. 19 of the Industrial Schools Act, 1866.

(3) The court may vary or revoke the remand or commitment, and if it is revoked the child or young person may be committed to prison.

(4) The council of any county or borough or a school board may defray the whole or any part of the expenses of the maintenance of children and young persons in custody under this section.

(5) Where a court makes an order under this section the court may make an order on the parent or other person legally liable to maintain the child or young person, requiring that parent or person to pay, as a contribution towards the cost of maintaining the child or young person, such sum, not exceeding five shillings a week, as the court may think fit, during the whole or any part of the time of his custody. The payment shall be made to the inspector of reformatory and industrial schools, or to a constable or other person authorised by the inspector to receive the payment, and the money paid shall be applied under the direction of the Treasury towards the expenses incurred under this section.

(6) There shall be paid, out of moneys provided by Parliament, towards the cost of maintaining any child or young person when in custody under this section, such contribution as may be fixed by regulations made by the Secretary of State with the approval of the Treasury.

(7) Where a child or young person is placed in the custody of a fit person under this section, payments shall be made from the police fund of the place to which the child or young person is sent for his maintenance, in accordance with the regulations made by the Secretary of State, but the police fund shall be repaid through the inspector of reformatory and industrial schools out of the contribution so fixed.

#### *Extension of Power to Commit to Industrial School.*

5.—A court of assize or quarter sessions may exercise the like power of committing a child to an industrial school as may be exercised by two justices or a magistrate under Sec. 15 of the Industrial Schools Act, 1866, and the provisions of that Act shall be construed accordingly.

#### *Recovery of Expenses of Maintenance from Parent or Person Legally Liable.*

6.—(1) Where a court of summary jurisdiction makes an order that a child or young person be sent to a certified reformatory or industrial school, the court may make at the same time such order for a contribution to his support and maintenance on his parent, or other person legally liable to maintain him, as may be made by justices or a magistrate under Secs. 25 and 26 of the Reformatory Schools Act, 1866, or under Sec. 40 of the Industrial Schools Act, 1866, or under any local Act relating to reformatory or industrial schools, and thereupon subject to the provisions of this Act, those enactments shall apply as if the order had been made on a complaint thereunder.

(2) An order made on complaint under any of those enactments may be enforced as an order of affiliation.

(3) A certificate purporting to be under the hand of the inspector or an assistant inspector of reformatory and industrial schools, or in the case of a day industrial school of the superintendent of such school or an officer of the managers, or of the superintendent of the school in the case of any school established under a local Act, stating that any sum due from a parent or other person for the maintenance of a child or young person is overdue and unpaid, shall be evidence of the facts stated therein.

(4) Where a parent or other person has been ordered under this section or under any of the enactments mentioned therein to contribute to the support and maintenance of a child or young person, he shall give notice of any change of address to the inspector of reformatory and industrial schools or his agent, or in the case of any such school established under a local Act to the superintendent of the school, or in the case of a day industrial school to the superintendent of such school or an officer of the managers, and if he fails to do so, without reasonable excuse, he shall be liable on summary conviction to a fine not exceeding two pounds.

*Appeals Against Orders for Maintenance.*

7.—(1) Where an order is made under this Act on a parent or other person liable to maintain a child or young person, the order shall be served in the prescribed manner on the person on whom it is made, and shall be binding on him unless he makes an application against it within the prescribed time to the court on the ground either that he is not legally liable to maintain the child or young person, or that he is unable to contribute the sum specified in the order.

(2) The court may confirm the order with or without modifications, or may rescind it.

(3) Any such order may be enforced as an order of affiliation.

*Contributions by County Councils.*

8.—A county council which has contributed to the support of a child or young person in a reformatory or industrial school may contribute to the ultimate disposal of the child or young person.

*Contracts with School Managers for Weekly Payments.*

9.—Where a local authority acting in pursuance of the Acts relating to reformatory or industrial schools, or the Elementary Education Acts, 1870 to 1900, agree to contribute a weekly payment towards the maintenance of any child in any reformatory or industrial school, the requirements of the first proviso to Sec. 12 of the Industrial Schools Act, 1866, and Sec. 28 of the Reformatory Schools Act, 1866, and of Sec. 14 of the Elementary Education Act, 1873 (relating to previous notice of intention to contribute), shall not apply to such contribution.

*Rules (42 and 43 Vict. c. 49).*

10.—The power to make rules under Sec. 29 of the Summary Jurisdiction Act, 1879, shall extend to making rules for regulating the procedure under this Act, and for prescribing anything which may under this Act be prescribed.

*Definitions.*

11.—In this Act the expressions "child," "young person," and "guardian" have respectively the same meanings as in the Summary



Jurisdiction Act, 1879, except that the expression "guardian" includes the guardian of a young person as well as the guardian of a child.

*Power of Court in Scotland to Discharge Youthful Offender without Punishment.*

12.—In Scotland, if upon the hearing of a charge against a child or young person for an offence punishable on summary conviction under any Act, whether past or future, the court think that though the charge is proved the offence was in the particular case of so trifling a nature that it is inexpedient to inflict any punishment or any other than a nominal punishment, the court, without proceeding to conviction, may dismiss the charge, and if the court think fit may order the person charged to pay such damages not exceeding forty shillings, and such costs, or either of them, as the court think reasonable.

*Register of Convictions of Youthful Offenders in Scotland.*

13.—(1) In Scotland, in addition to any other register required by law, a separate register of convicted youthful offenders shall be kept for every summary court by the chief constable or other person charged with the duty of keeping registers of convictions.

(2) This register shall apply to offenders of such age, and shall include such particulars, as may be directed by the Secretary for Scotland.

(3) It shall be the duty of the keeper of the register, within three days after each conviction of an offender under fourteen years of age recorded therein, to transmit a copy of the entry relating to the offender to the clerk of the school board for the burgh or parish in which the offender resides.

*Extension of 47 and 48 Vict. c. 19, s. 5.*

14.—Sec. 5 of the Summary Jurisdiction Over Children (Ireland) Act, 1884 (which gives power to deal summarily with young persons by consent), shall extend to all indictable offences other than homicide, and accordingly in that section for the words "specified in the schedule to this Act" shall be substituted the words "other than homicide."

*Application to Ireland of 56 and 57 Vict. c. 48, and 57 and 58 Vict. c. 33, 31 and 32 Vict. c. 59.*

15.—(1) In the application to Ireland of the Reformatory Schools Act, 1893, for Sec. 4 of that Act the following provision shall be substituted:—

"Sec. 12 of the Irish Reformatory Schools Act, 1868, from the beginning of the section to the words 'and provided also that' is hereby repealed, and the said section shall be construed and have effect as if Sec. 1 of this Act were substituted for the provisions of the said section hereby repealed."

(2) The Industrial Schools Acts Amendment Act, 1894, shall extend to Ireland with the following modifications:—

(a) The Industrial Schools Act (Ireland), 1868, shall be substituted for the Industrial Schools Act, 1866, and in particular Secs. 21 and 27 of the former Act shall be substituted for Secs. 27 and 34 respectively of the latter Act;

(b) The Chief Secretary shall be substituted for the Secretary of State;

- (c) The passing of this Act shall be substituted for the passing of the said Act of 1894.

*Application to Scotland.*

16.—This Act, except the provisions thereof relating exclusively to Ireland, shall extend to Scotland with the modifications following, namely:—

- (a) The Secretary for Scotland shall be substituted for the Secretary of State;
- (b) The High Court of Justiciary shall be substituted for the court of assize;
- (c) The county council or the town council of a burgh (including a police burgh) shall be substituted for the council of a county or borough;
- (d) Sec. 33 of the Summary Procedure (Scotland) Act, 1864, shall be substituted for Sec. 29 of the Summary Jurisdiction Act, 1879;
- (e) Theft shall be substituted for felony;
- (f) A decree for aliment shall be substituted for an order of affiliation;
- (g) The provision as to an appeal by a parent or guardian to quarter sessions shall not apply. But where a child or young person is charged before a court of summary jurisdiction other than a sheriff or stipendiary magistrate, and it appears to such court that proceedings under this Act should be taken against the parent or guardian of such child or young person, the court may remit the further proceedings in the case to the sheriff, to be dealt with by him under this Act, and a court of summary jurisdiction other than a sheriff or stipendiary magistrate shall have no jurisdiction against the parent or guardian in respect of any offence constituted by this Act;
- (h) The words “under a warrant of poinding and sale, and in default of recovery of sufficient goods by,” shall be substituted for the words “by distress, or” in Sub-section 5 of Sec. 2 of this Act;
- (i) Sec. 8 of the Summary Jurisdiction (Scotland) Act, 1851, shall be substituted for Sec. 21 of the Summary Jurisdiction Act, 1879.

*Application to Ireland.*

17.—This Act, except the provisions thereof relating exclusively to Scotland, shall extend to Ireland, with the modifications following, namely:—

- (1) Save as hereinafter mentioned the Summary Jurisdiction Over Children (Ireland) Act, 1884, shall be substituted for the Summary Jurisdiction Act, 1879, and in particular Sec. 7 of the former Act shall be substituted for Sec. 16 of the latter Act;
- (2) Sec. 25 of the Irish Reformatory Schools Act, 1868, shall be substituted for Sec. 21 of the Summary Jurisdiction Act, 1879;
- (3) The Industrial Schools Act (Ireland), 1868, shall be substituted for the Industrial Schools Act, 1866, and in particular Secs. 12, 13, and 30 of the former Act shall be substituted for Secs. 19, 15, and 40 respectively of the latter Act;
- (4) The Irish Reformatory Schools Act, 1868, shall be substituted for the Reformatory Schools Act, 1866, and in particular Secs. 23 and 24 of the former Act shall be substituted for Secs. 25 and 26 respectively of the latter Act;

(5) An order for maintenance under this Act may be enforced in the manner provided by Sec. 25 of the Irish Reformatory Schools Act, 1868;

(6) The procedure regulating appeals under the Summary Jurisdiction Acts shall apply in the case of an appeal under Sec. 7 of this Act;

(7) The Chief Secretary shall be substituted for the Secretary of State;

(8) The Inspector and Assistant Inspector of Reformatory and Industrial Schools in Ireland shall be substituted for the Inspector and Assistant Inspector of Reformatory and Industrial Schools respectively;

(9) Any reference to a school board or to an order of affiliation shall not apply;

(10) Sec 9 (relating to contracts with school managers for weekly payments) shall not apply;

(11) Payments required by this Act to be made from the police fund of a place shall be made by the police authorities of the district within which such place is situate, and those authorities shall be repaid in like manner as the said police fund;

(12) For the provisions of this Act giving power to make rules under the Summary Jurisdiction Act, 1879, the following provision shall be substituted:—

“The Lord Chancellor of Ireland may make rules for regulating the procedure under this Act and for prescribing anything which may under this Act be prescribed, and all rules so made shall be laid as soon as may be before both Houses of Parliament.”

*Short Title and Commencement.*

18.—This Act may be cited as the Youthful Offenders Act, 1901. and shall come into operation on the first day of January, 1902.

## FACTORY AND WORKSHOP ACT.

### STANDARDS OF PROFICIENCY AND OF PREVIOUS DUE ATTENDANCE. THE HOME SECRETARY'S ORDER.

Order of Secretary of State prescribing, with the consent of the Board of Education, standards of proficiency and of previous due attendance (England and Wales).

Whereas by the Factory and Workshop Act, 1878, it is enacted as follows:—

Sec. 26. When a child of the age of thirteen years has obtained from a person authorised by the Education Department a certificate of having attained such standard of efficiency in reading, writing, and arithmetic, or such standard of previous due attendance at a certified efficient school, as herein-after mentioned, that child shall be deemed to be a young person for the purposes of this Act.

The standards of proficiency and due attendance for the purposes of this section shall be such as may be from time to time fixed for the purposes of this Act by a Secretary of State, with the consent of the Education Department, and the standards so fixed shall be published in the *London Gazette*, and shall not have effect until the expiration of at least six months after such publication.

Attendance at a certified day industrial school shall be deemed for the purposes of this section to be attendance at a certified efficient school.

Sec. 95. The expression "certified efficient school" in this Act means a public elementary school within the meaning of the Elementary Education Acts, 1870 and 1873, and any work-house school in England, certified to be efficient by the Local Government Board, and also any elementary school which is not conducted for private profit, and is open at all reasonable times to the inspection of His Majesty's Inspectors of schools, and requires the like attendance from its scholars as is required in a public elementary school, and keeps such registers of those attendances as may be for the time being required by the Education Department, and is certified by the Education Department to be an efficient school:

And whereas on the 7th August, 1893, an order was made by the Secretary of State fixing standards of proficiency and standards of previous due attendance, for the purposes of the above recited enactments so far as they relate to England and Wales:

Now I, the Right Honourable Charles Thomson Ritchie, one of His Majesty's Principal Secretaries of State, with the consent of the Board of Education, hereby, for the purpose of the said enactments, and so far as the same relate to England and Wales, order that, from and after the 1st day of July, 1901, the aforesaid order of the 7th August, 1893, shall be revoked, and instead thereof the following provision shall take effect; that is to say:—

- (a) The standard of proficiency for the purpose of a certificate of proficiency to be given to any child shall be the fifth standard of reading, writing, and arithmetic, as fixed by the Code in force for the time being, or any higher standard which may be attained by the child.

Certificates of proficiency may be granted in the manner prescribed by sections 4 and 8 of the Regulations of the Board of Education, dated 23rd April, 1900.

- (b) The standard of previous due attendance at a certified efficient school for the purpose of a certificate of previous due attendance shall, in the case of any child, be 350 attendances after such child has attained five years of age in not more than two schools during each year for five years, whether consecutive or not.

Certificates of previous due attendance at school may be granted in the manner prescribed by sections 9 to 11 of the Regulations of the Board of Education, dated 23rd April, 1900.

CHAS. T. RITCHIE.

One of Her Majesty's Principal Secretaries of State.  
Home Office, Whitehall, December 19th, 1900.

The Board of Education hereby consent to the standards of proficiency and due attendance fixed by the Secretary of State in the above order for the purposes of the Factory and Workshop Act, 1878.

H. M. LINDSELL.

One of the Assistant Secretaries of the Board of Education.  
December 31st, 1900.

NOTE.—In districts where the bye-laws made by the school authority under the Elementary Education Acts apply to children between thirteen and fourteen years of age, a child must also satisfy the conditions of total exemption prescribed by the bye-laws before he can be legally employed full time in a factory or workshop.



REVISED REGULATIONS OF THE 21st MARCH, 1901, AS TO  
CERTIFICATES OF AGE, PROFICIENCY, AND SCHOOL  
ATTENDANCE.

(Elementary Education Act, 1876, sec. 24.)

BY THE BOARD OF EDUCATION.

The Board of Education, by virtue and in pursuance of the powers in them vested under the Elementary Education Act, 1876, and of every other power enabling them in this behalf, do order, and it is hereby ordered, that the following regulations be substituted for those contained in the Revised Regulations as to certificates of age, proficiency, and school attendance, dated the 23rd day of April, 1900.

*Certificates of Age.*

(1) A certificate of the date of a child's birth will be granted by a registrar or superintendent registrar of births and deaths on presentation of a requisition in a form prescribed for the purpose by the Local Government Board, pursuant to the 20th section of the Factory and Workshop Act, 1891. The prescribed form of requisition is annexed to this order (schedule I.). The fee for such certificate is not to exceed 6d.—(Order of Local Government Board, dated 20th October, 1891.)

(2) A statutory declaration of the date of a child's birth, made by the parent of the child before a magistrate, may be accepted by the local authority in place of a registrar's certificate. The declaration shall be made on the form annexed to this Order (schedule II.).

(3) When a local authority, under the power given by the 26th section of the Elementary Education Act, 1876, have obtained a return of the births of children in their district which will enable them to grant age certificates to individual children, they shall, on the application of any parent or other person interested in the education or employment of a child, grant such certificate under the hand of their clerk or other officer deputed for the purpose, for a fee not exceeding 4d. for each child. This certificate is to be given in the form hereinafter prescribed for labour certificates (schedule III.), or in the case of a child over thirteen years of age, in the form prescribed in schedule IV.

*Certificates of Proficiency.*

(4) Certificates of proficiency are certificates of having reached or passed any standard prescribed by the Code. To reach or pass a standard a child must be individually examined in reading, writing, and arithmetic in that or a higher standard, and must pass in each of those subjects.

(5) At any visit of an inspector to any public elementary or other certified efficient school, the managers are required to admit to examination, and the inspector to examine for a certificate of proficiency, any child over twelve years, or if the child is to be employed in agriculture under any bye-law made under section 1. Elementary Education (School Attendance) Act, 1893, Amendment Act, 1899, over eleven years of age, whether a scholar in the school or not, if the child's parent or guardian or the local authority apply for the child to be examined for such a certificate; but the inspector is at liberty to refuse to examine any child for whose examination

due provision is made elsewhere, or any child who has not been instructed for at least six months in the standard in which he is presented, or who has failed in that standard at an examination held in the previous three months.

(6) The inspector may, in concert with the local authority, hold such special examination as he may think necessary of children over eleven years of age, whom their parents or guardians or the local authority wish to be examined for certificates of proficiency.

(7) The inspector does not grant certificates to individual children, but after every examination held as above he sends to the managers of the school, or, in the case of a special examination, to the local authority, a schedule containing the names of the children who have passed in all the three elementary subjects in any standard, with a certificate that such children have reached the standards entered opposite to their names.

(8) If the local authority do not make arrangements to obtain from the managers a copy of so much of this schedule as they require, they may accept a certificate under the hand of the principal teacher of any certified efficient school as evidence that any scholar in such school has been certified by one of His Majesty's Inspectors to have reached a particular standard. The principal teacher shall give such certificate, free of charge, in the form given in the second column of Certificate No. 1 in the third schedule to this order, or in the case of a child over thirteen years of age, and employed under the provisions of the Elementary Education Act, 1876, in the form given in the fifth schedule to this order.

#### *Certificates of School Attendance.*

(9) Any local authority, parent, or other person interested in the employment or education of a child over twelve and under fourteen, may require the principal teacher for the time being of any certified efficient school which such child has attended, to furnish a certificate as specifying the number of school attendances made by the child in the school during each year, for which the school registers are preserved.

(10) The teacher shall give such certificates in the form annexed to this order (Schedule VI.), in the first case free of charge, and for a fee not exceeding 1d. for each year's attendances in the case of the second or any subsequent certificate, that may be demanded in respect of such child.

(11) The school registers of every certified efficient school shall be carefully preserved by the managers. If a school is discontinued, the registers are to be handed over to the local authority of the district.

#### *Labour Certificates.*

(12) Any parent or other person interested in the employment or education of any child may apply to the local authority of the district in which the child resides for a labour certificate. The applicant must present to the local authority the evidence of age prescribed above; he must further present either the certificate of proficiency, or that of school attendance prescribed above, and the local authority, if they are satisfied that the child is qualified for total or partial exemption from school attendance under the bye-laws of the district, or for employment in agriculture under any bye-law made in that behalf or for employment under the first schedule to the Elementary Education Act, 1876, shall furnish the certificate asked for in one of the forms given in the third schedule to this order.

*General.*

(13) No certificate purporting to be granted under these regulations will be recognised, unless given in one of the printed forms annexed to this Order. All these forms shall be kept by every local authority, from whom they are to be obtained, free of charge, except in the cases where any fee is specially allowed.

(14) The forms may be procured from the Board of Education by the local authority, who shall supply such number of copies as may be necessary to any local committee appointed by them, or to the managers of any certified efficient school in their district.

(15) In these regulations—

- (a) The term “local authority” means a school board, or a school attendance committee (Elementary Education Act, 1876, secs. 7 and 33).
- (b) The term “local committee” means a committee, appointed by a school attendance committee, for a parish or other area in the district of such local authority (*ibid.*, sec. 32).
- (c) The term “certified efficient school” means a public elementary school, and any elementary school which is certified by the Board of Education to be an efficient school, and any workhouse school certified to be efficient by the Local Government Board (*ibid.*, sec. 48).
- (d) The term “attendance” means the attendance of a child at a morning or afternoon meeting of a school, during not less than two hours of instruction in secular subjects if in a school or class for elder children, or one hour and a half if in a school or class for infants.
- (e) The term “year” means the civil year.

*Workhouse Schools.*

(16) In the case of workhouse schools, certified to be efficient by the Local Government Board, and in which registers of attendance are duly kept, pursuant to a general order of the said Board—

- (1) The term “attendance” has the meaning prescribed by the order of the Local Government Board, dated 27th of October, 1877.
- (2) Certificates of school attendance will be granted to the scholars by one of the principal teachers of the school, or by the clerk, or other officer of the guardians, deputed for the purpose.
- (3) Certificates of proficiency will be granted, after examination, by one of the school inspectors of the Local Government Board, and not by His Majesty’s Inspectors.

Given under the Seal of Office of the Board of Education this Twenty-first day of March, in the year One thousand nine hundred and one.

G. W. KEKEWICH, Secretary.

SCHEDULE I.

REQUISITION TO REGISTRARS FOR CERTIFICATES OF BIRTH.

Requisition for a certified copy of an entry of birth for the purposes of the Factory and Workshop Act, 1891, or for any purpose connected with the elementary education or employment in labour of child or young person under the age of sixteen years.

To the Superintendent Registrar or Registrar of Births and Deaths, having the custody of the register in which the birth of the undermentioned child or young person is registered.

I, the undersigned, hereby demand for the purposes above mentioned, or some or one of them, a certificate of the birth of the child or young person named in the subjoined schedule..

| Christian Name and Surname of the Child or Young Person of whose Age a Certificate is required. | Names of the Parents of such Child or Young Person. |         | Where such Child or Young Person was Born. | In what Year such Child or Young Person was Born. |
|---|---|---------|--|---|
|   | Father.   | Mother. |  |   |
|   |   |         |  |   |
|   |   |         |  |   |
|   |   |         |  |   |
|   |   |         |  |   |

Dated this.....day of.....19.....  
 Signature.....  
 Address.....  
 Occupation.....

Board of Education.

Form 123 (a).

SCHEDULE II.

STATUTORY DECLARATION by PARENT, 44 and 45 Vict. c. 41, s. 68

I hereby solemnly declare that ..... was born on the ..... day of ..... A.D.

And I make the above declaration, conscientiously believing the same to be true, and by virtue of the Statutory Declarations Act, 1835.

Declared before me at ..... in the (1) ..... of ..... this.....day of.....19.....  
 (Signed).....  
 Justice of the Peace for the (1).....  
 of.....

(1) County or Borough



Board of Education  
Form 146 (a).

## SCHEDULE III.

*School District of*.....

## LABOUR CERTIFICATE, No. 1.

## Age and Employment.

## Proficiency.

I certify that *A.B.*, residing at....., was on the.....day of..... 19....., not less than twelve years of age, having been born on the..... day of.....1....., as appears by the registrar's certificate [*or the statutory declaration*] now produced to me <sup>(1)</sup>, and has been shown to the satisfaction of the local authority for this district to be beneficially employed.

(Signed).....,

<sup>(2)</sup> Clerk to the <sup>(3)</sup>.....  
for the above district.

I certify that *A.B.*, residing at....., has received a certificate from..... one of His Majesty's Inspectors of Schools, that he [*or she*] has <sup>(4)</sup> reached the.....Standard.

(Signed).....,

Principal Teacher of the  
.....School.<sup>(2)</sup> Clerk to the <sup>(3)</sup>.....  
for the above district.<sup>(1)</sup> Strike out what follows, if the child is qualified for full-time employment.<sup>(2)</sup> or other officer.<sup>(3)</sup> School Board or School Attendance Committee.<sup>(4)</sup> To reach a standard a child must be individually examined in reading, writing, and arithmetic in that or a higher standard, and must pass in each of those subjects.Board of Education.  
Form 146 a (1).*School District of*.....

## LABOUR CERTIFICATE, No. 1 (a) (for total exemption after 13 years of age).

## Age and Employment.

## Previous Attendance.

I certify that *A.B.*, residing at....., was on the.....day of..... 19....., not less than thirteen years of age, having been born on the..... day of.....1....., as appears by the registrar's certificate [*or the statutory declaration*] now produced to me, and has been shown to the satisfaction of the local authority for this district to be beneficially employed.

(Signed).....,

<sup>(1)</sup> Clerk to the <sup>(2)</sup>.....  
for the above district.

I certify that *A.B.*, residing at....., has made 350 attendances in not more than two schools during each year for five preceding years, whether consecutive or not, as shown by the <sup>(3)</sup> certificate furnished by the Principal Teacher of the <sup>(4)</sup>.....School.

(Signed).....

<sup>(1)</sup> Clerk to the <sup>(2)</sup>.....  
for the above district.<sup>(1)</sup> or other officer.<sup>(2)</sup> School Board or School Attendance Committee.<sup>(3)</sup> For this certificate, see Schedule VI.<sup>(4)</sup> Here name School or Schools in which the attendances have been made.

N.B.—In districts where the bye-laws extend to the age of 14, this certificate can only be granted if the bye-laws permit full time exemption on an attendance qualification.

Board of Education.

Form 146 b.

School District of.....

LABOUR CERTIFICATE, No. 2 (for partial exemption only).

Age and Employment.

I certify that *A.B.*, residing at....., was on the.....day of..... 19....., not less than twelve years of age, having been born on the..... day of.....1....., as appears by the registrar's certificate [*or the statutory declaration*] now produced to me, and has been shown to the satisfaction of the local authority for this district to be beneficially employed.

(Signed).....,

(<sup>1</sup>) Clerk to the (<sup>2</sup>).....  
for the above district.

Previous Attendance.

I certify that *A.B.*, residing at....., has made 300 attendances in not more than two schools during each year for five preceding years, whether consecutive or not, as shown by the (<sup>3</sup>) certificate furnished by the Principal Teacher of the (<sup>4</sup>).....School.

(Signed).....,

(<sup>1</sup>) Clerk to the (<sup>2</sup>).....  
for the above district.

(<sup>1</sup>) or other officer.

(<sup>2</sup>) School Board or School Attendance Committee.

(<sup>3</sup>) For this certificate, see Schedule VI.

(<sup>4</sup>) Here name School or Schools in which the attendances have been made.

Board of Education.

Form 146 (c).

School District of.....

LABOUR CERTIFICATE, No. 3 (Agriculture).

Age and Employment.

I certify that *A.B.*, residing at....., was on the.....day of..... 19....., not less than eleven years of age, having been born on the..... day of.....1....., as appears by the registrar's certificate [*or the statutory declaration*] now produced to me, and that notice has been given to the local authority for this district that he is to be employed in agriculture.

(Signed).....,

(<sup>1</sup>) Clerk to the (<sup>2</sup>).....  
for the above district.

Proficiency.

I certify that *A.B.*, residing at....., has received a certificate from..... one of His Majesty's Inspectors of Schools, that he [*or she*] has (<sup>3</sup>) passed the.....Standard, being that prescribed by the bye-laws for partial exemption.

(Signed).....,

Principal Teacher of the  
.....School.

or (<sup>1</sup>) Clerk to the (<sup>2</sup>).....  
for the above district.

(<sup>1</sup>) or other officer.

(<sup>2</sup>) School Board or School Attendance Committee.

(<sup>3</sup>) To pass a standard a child must be individually examined in reading, writing, and arithmetic in that or a higher standard, and must pass in each of those subjects.

N.B.—This certificate can only be given in school districts where a special "agricultural" bye-law is in force.

Board of Education.

Form 144 (a).

## SCHEDULE IV.

(The following certificate applies only to cases of children over 13 years of age.)

CERTIFICATE OF AGE FOR THE PURPOSE OF EMPLOYMENT UNDER  
SECTION 5, ELEMENTARY EDUCATION ACT, 1876.

I certify that A.B., residing at.....  
was on the.....day of....., 19....., not less than  
thirteen years of age, having been born on the.....day of  
..... 1....., as appears by the Registrar's Certificate (or  
the Statutory Declaration) now produced to me.

Signed.....

Clerk to the (\*).....  
of.....

(\*) School Board or School Attendance Committee.

Board of Education.

Form 144 (b)

## SCHEDULE V.

(The following certificate applies only to cases of children over 13 years of age.)

CERTIFICATE OF PROFICIENCY FOR THE PURPOSE OF EMPLOYMENT  
UNDER SECTION 5, ELEMENTARY EDUCATION ACT, 1876.

I hereby certify that A.B., residing at.....  
has received a certificate from....., one of  
His Majesty's Inspectors of Schools, that he (or she) has reached <sup>(1)</sup>  
the standard of reading, writing, and elementary arithmetic fixed  
by Standard IV. of the Code of 1876.

Signed.....

Principal Teacher of the

.....School.

or Clerk of the <sup>(2)</sup>.....

of.....

<sup>(1)</sup> To reach a standard a child must be individually examined in reading, writing, and arithmetic in that or a higher standard, and must pass in each of those subjects.

<sup>(2)</sup> School Board or School Attendance Committee.

## SCHEDULE VI.

CERTIFICATE OF SCHOOL ATTENDANCE FOR THE PURPOSE OF EMPLOYMENT UNDER SECTION 5, ELEMENTARY EDUCATION ACT, 1876, OR FOR TOTAL OR PARTIAL EXEMPTION UNDER THE BYE-LAWS.

\* School.

I hereby certify that the following particulars with respect to the attendances made by the child named below, at this school, after attaining the age of five years, are correctly taken from the registers of the school.

| Name in full, and Residence of Child. | Number of Attendances made within the 12 months ending the 31st December. |
|---------------------------------------|---|
|                                       | 1   |
|                                       | 1   |
|                                       | 1   |
|                                       | 1   |
|                                       | 1   |

Signed this.....day of....., 19.....

Principal Teacher of the above-named School.

Enter name in full, and state whether a public elementary or certified efficient school.

## DEFECTIVE AND EPILEPTIC CHILDREN.

*a.* The following circular, minute, and statutory rules have been issued by the Board of Education :—

Education Department,  
Whitehall, London, S.W.,  
March, 1900.

Sir,

1. The Elementary Education (Defective and Epileptic Children) Act, 1899, empowers school authorities to make further provision for the education of defective and epileptic children in their districts. The school authority for the purpose is the same as that which has charge of the education of blind and deaf children under the Act of 1893; that is to say—(a) For an area under a school board, the school board; (b) for an area not under a school board, the district council acting through a committee appointed for educational purposes. A school authority wishing to make provision for defective or epileptic children should, in the first instance, submit, for the approval of this department, the proposed arrangements for ascertaining what children are defective and epileptic respectively, and the names of the medical officer or officers whom it proposes to appoint for the purpose. The Act requires [Section 1 (2)] that



the arrangement shall be such as to enable any parent to present his child to the school authority for examination; and it also requires, in each case, a certificate in a prescribed form of a duly-qualified practitioner, approved by this department.

2. The forms of certificate prescribed by this department for the purpose are as follows:—

*(a) For Defective Children.*

I, A.B., a duly qualified practitioner, approved by the Education Department, certify that Y.Z., not being imbecile, and not being merely dull or backward, is, by reason of (1) mental, or (2) physical, defect, incapable of receiving proper benefit from the instruction in an ordinary public elementary school, but is not incapable, by reason of such defect, of receiving benefit from instruction in a certified special class or school.

*(b) For Epileptic Children.*

I, A.B., a duly-qualified practitioner, approved by the Education Department, certify that Y.Z., not being idiot or imbecile, is unfit, by reason of severe epilepsy, to attend an ordinary public elementary school.

(NOTE.—The causes which render an epileptic child unfit to attend an ordinary school may be either that serious danger to itself or to other children, or that serious disturbance to the work of the school, would be caused by such attendance.)

3. The arrangements for ascertaining what children are defective or epileptic should, if possible, include the production of particulars as to the family history of the child, and as to the habits, capacity, and attainments of the child as observed by the teacher of the school which it may have attended. The examination should be confined to children who are not less than seven years old, and it should be held by the medical officer of the school authority. The teacher who has had charge of the child should be present, and the opportunity of being present should be given to the parent of the child and to Her Majesty's Inspector; and, in the case of a defective child, to the teacher of the special class in the neighbourhood. The examination should be applied not only to children who have been attending infants' schools, but to children who have been absent altogether from school by reason of mental or physical defect. It will be observed that, by Section 1 (4) of the Act, a parent is bound to cause his child to attend such examination, if required by the school authority, under a penalty of £5. A school authority which intends to submit to the Education Department proposed arrangements for ascertaining what children are defective or epileptic, may find further guidance from paragraphs 22 and 23 of the Report of the Departmental Committee on Defective and Epileptic Children, 1898.

4. The chief method contemplated by the Act for providing for defective children is by means of a day school or class which a child may reach from its own home, with the help, if necessary, of a guide or conveyance. The school authority which makes this provision within reach of a child's home may compel the parent to send the child to such a school. [Section 4 (1).] These classes or schools are termed "classes" or "schools" according as they are attached to ordinary public elementary schools, or are independent of them. They will be public elementary classes or schools subject to special conditions as to curriculum and as to grant.

The regulations applicable to day schools and classes will be found in Part I. of the enclosed Minute of 26th February, 1900. The main conditions are that the children shall be admitted by the procedure described above; that they should be periodically examined by the medical officer [Section 2 (5)] of the Act; that they shall have a room of their own, suitably furnished and used exclusively by them, and a special teacher of their own; that they shall

not be mixed with ordinary children for any lessons; that there shall be managers specially appointed and a special time table; and that the principal teacher shall hold the certificate of the Education Department or of the National Froebel Union, unless the class is for fewer than 10 children. Classes will be limited in size to an average attendance of 20, unless there are more than two classes, in which case the classes after the first two may consist of 30 children in average attendance. Not less than six hours a week of suitable manual instruction must be given to each child.

5. The rates of grant to classes or schools satisfying these conditions will be for instruction other than manual instruction 50s. for each child in average attendance, and for manual instruction 40s. per child in average attendance in the case of older children, and 30s. per child in average attendance in the case of younger children. These grants take the place of both the annual and the fee grants in public elementary schools.

6. A school authority may also make provision for defective children by means of boarding them out near to special schools or classes, or by sending them to boarding schools; and, for this purpose, may either establish boarding schools of its own, or utilise, on such terms as may be agreed, institutions certified for the purpose by the Education Department. The Act does not empower school authorities to provide for defective children by boarding out or by sending to a boarding institution, except with their parents' consent, and it is expected that these means of providing for the children will be used chiefly, if not entirely, by those school authorities whose districts are not sufficiently thickly populated to justify the provision of a day class or school. A copy of the regulations for boarding out defective children is enclosed herewith; the regulations applicable to boarding schools for such children will be found in Part II. of the Minute of 26th February, 1900. The Act [Section 2 (6)] limits the size of boarding institutions established after the commencement of the Act (9th August, 1899) to 15 children in one building, and the number of buildings which may be comprised in an establishment is limited to four. No grant will be given by the department for the maintenance of the children, but the grants for education will be the same, and will be given on the same conditions as those offered for day schools and classes.

7. The Act (Section 3) enables school authorities to provide guides or conveyances for children who in their opinion are, by reason of any physical or mental defect, unable to attend school without guides or conveyances. Such provision is not limited to children attending special classes, but is intended also to meet the case of children who would otherwise be prevented by some physical defect from attending ordinary public elementary schools.

8. The schools which will be certified by the department under this Act for epileptic children will be small boarding schools, where proper provision is made for the medical attendance as well as the education of such children. A child who suffers from only mild epilepsy can attend an ordinary school, or, if he happens to be also defective, a special class for defective children. It is only the children whose epilepsy is so severe as to prevent them from attending day schools for whom this Act makes special provision. A school authority may either itself establish certified schools for epileptic children, or may contribute, on terms approved by the Education Department, to such schools. [Section 2 (2), (3).] The regulations applicable to certified schools for epileptic children will be found in Part III. of the Minute of 26th February, 1900. No grant will be made by the department towards the maintenance of epileptic children, but the grants for education will be for instruction other than manual instruction 50s. per head of average attendance, and 40s. and 30s. for manual instruction of older and younger children respectively. These grants take the place of both the annual and the fee grants in public elementary schools. The Act [Section 4 (2)] empowers a school authority to send an epileptic child to such an establishment without the consent of its parent, and, in such a case, an order of a court of summary jurisdiction will be necessary.

The Act being permissive as regards the provision to be made by the school authorities, it has been necessary to provide against the possible case of an influx of defective or epileptic children from districts which do not make provision for them into districts which do. Accordingly, where children wish to attend a special class or school situated in a district in which they are not resident, or in which they have not their permanent home, the school authority of such a district is under no obligation to admit them unless the school authority of the district from which the children come is willing to contribute an agreed sum towards the cost of the special class or school; and similar provisions are made to meet the case of children for whom poor law guardians are properly responsible, and who are sent to special classes or schools established under this Act. [Sections 2 (4), 9, and 10.]

10. No fee can be charged to the parent for the instruction given in any special class or school under this Act; but the school authority may obtain payment (Section 8) from the parent towards the cost of guides, conveyances, or maintenance in a boarding school, in the same manner as such payments are obtained in respect of blind and deaf children. The age of compulsory attendance at school for defective and epileptic children is extended to 16. (Section 11.)

I have the honour to be, Sir,

Your obedient Servant,

To the Clerk to the School Authority.

G. W. KEKEWICH.

(b) MINUTE of the Committee of Council on Education, dated 26th February, 1900, providing for Grants on account of the Education of Defective and Epileptic Children, and prescribing Conditions to be fulfilled by Certified Schools for such Children.

At the Council Chamber, Whitehall, the 26th day of February, 1900.

By the Lords of Her Majesty's Most Honourable Privy Council on Education.

Their Lordships having had under consideration the Elementary Education (Defective and Epileptic Children) Act, 1899, read and approved the following Minute:—

#### I. DAY SCHOOLS AND CLASSES.

Day schools or classes for defective children are public elementary schools or classes attached to public elementary schools, differing only from ordinary public elementary schools in the special conditions hereinafter required and the special grants made for them. In other respects they are subject to the ordinary requirements of the Day School Code. Schools or classes for defective children are called "special" schools or classes.

Her Majesty's Inspector will inspect special schools and classes in the ordinary course. He will pay his visits without notice, and will satisfy himself that all the conditions of the grant are fulfilled. In no case will he hold a formal examination. The department reserves the power to inspect schools or classes by means of any officers whom it may appoint for the purpose.

The following conditions must be fulfilled by schools or classes that are certified as special schools or classes:—

1. The premises must be approved by the department.

In the case of new premises—

(a) 20 square feet of floor space per child in average attendance must be provided in the class-rooms.

(b) All playgrounds, offices, lavatories, entrances, and passages must be so constructed as to admit of easy supervision by the teacher of the special class, and must, as a rule, be kept for the sole use of the children attending the special class.



- (c) All rooms must, as a rule, be constructed on the ground floor.
- (d) Where the premises are intended for the use of more than one class, they must, as a rule, include a wide and well-lighted corridor, which can be used for drill and assembling.
- (e) Each child must, as a rule, be provided with a single desk of suitable size, and sloped at an angle of from 10 to 15 degrees.

The approval of premises, which have already been approved as suitable for special schools or classes, will be continued, provided that conditions (a) and (b) be satisfied.

2. No children may be admitted, except those who have been ascertained to be defective within the meaning of the Elementary Education (Defective and Epileptic Children) Act, 1899, under arrangements approved by the Education Department. No child may be admitted at less than seven years of age, or retained after reaching the age of sixteen.

3. Proper records must be made at the time of admission and afterwards—

- (a) As to the child's capacity, habits, attainments, and health ;
- (b) As to the family history of the child ;
- (c) As to the progress of the child in the special school or class.

4. The children must, from time to time, be inspected by a medical officer appointed for the purpose by the school authority, and records of such inspections must be kept. Provision must be made for the examination, from time to time, of every child, in order to ascertain whether he has attained such a mental and physical condition as to be fit to attend an ordinary class in a public elementary school, and the school authority shall make provision for such examination in the case of any child whose parent claims such examination of his child, provided that the parent shall not make such claim within less than six months after his child has been examined. The decision of the Education Department is final as to whether a child may be retained in a special school or class as defective.

5. Every special school or class must have managers specially appointed, who will undertake to visit the school or class from time to time during school hours.

6. The children must not for any lessons be mixed with the children of the ordinary public elementary schools.

7. Each class must have a separate teacher of its own.

8. The principal teacher must hold the certificate of the Education Department or of the National Froebel Union. When there are less than 10 children on the roll the principal teacher may be one qualified under Article 50 of the Code.

As a rule, men will not be approved as teachers of special schools or classes.

9. Subject to the continued recognition of the uncertificated teachers at present employed, assistant teachers not certificated will only be recognised in places where there is more than one class, and where a certificated teacher is in charge as principal. Such assistants should be persons qualified under Article 50 of the Code, or holders of a certificate from the National Froebel Union. No one under the age of 21 will be recognised as a teacher in a special class.

10. His Majesty's Inspector must annually approve of all the staff employed. The withholding of approval of a teacher as a special teacher of defective children will in no way affect the teacher's qualification for teaching in ordinary schools.

11. The number of children in average attendance may not exceed 20 for each class, except that, if the number of classes at a centre exceeds two, there may be an average attendance of 30 in each class after the first two.

12. Before any teacher is recognised as a principal teacher she must have at least six months' experience in a special school or class approved by the department.



13. The hours during which a special school or class is open must not exceed two and a half in the morning and two in the afternoon. An interval of at least an hour and a half must be interposed between the morning and the afternoon meeting of the school or class.

The minimum time of attendance is attendance at secular instruction for an hour and a half; time spent in recreation or registration must not be included in the minimum period of an hour and a half.

14. The time-table must provide for—

- (a) Instruction in the elements of Reading, Writing, and Arithmetic;
- (b) Singing and Recitation;
- (c) Object Lessons;
- (d) Drawing;
- (e) Needlework for Girls;
- (f) Physical Exercises;
- (g) Manual Instruction.

15. As a rule, not less than six hours of manual instruction must be given weekly to every child. For the purposes of manual instruction the children must be classed as "younger children" and "older children" respectively; this classification must not depend upon any fixed rule as to age, but must be so made as to assign to each child that form of manual instruction which is suitable to his skill and capacity. Forms of manual instruction approved by the department as suitable (a) for younger children, (b) for older boys, (c) for older girls, are shown on the list appended to this Minute. In the case of girls, time spent in needlework may, to the extent of two hours per week, be counted as part of the minimum six hours of manual instruction. Other forms of manual instruction which the managers consider suitable for either the younger or the older children may be submitted to the department for approval. With the approval of the Inspector manual instruction may be given elsewhere than on the premises of the special school or class, but in no case may the children be taught together with children attending an ordinary public elementary school. No class for the manual instruction of older children may, as a rule, contain more than ten children present at any one time.

16. Where the above conditions are satisfied, grants will be paid annually at the following rates for each unit of average attendance:—

For Instruction other than Manual Instruction, 50s.

For Manual Instruction of younger children 30s., and older children 40s.

For each complete tenth of a unit of average attendance a tenth of the above grants will be paid.

These grants are in lieu of the annual grant and the fee grant payable to ordinary public elementary schools.

## II. CERTIFIED SCHOOLS FOR BOARDING AND LODGING DEFECTIVE CHILDREN.

The following conditions must be fulfilled by schools that are certified for boarding and lodging defective children:—

1. The schools must be exclusively confined to children who are ascertained to be defective within the meaning of the Elementary Education (Defective and Epileptic Children) Act, 1899. (Section 1.)

2. No establishment established after the commencement of the Elementary Education (Defective and Epileptic Children) Act (9th August, 1899) can be certified for boarding and lodging more than 15 defective children in one building, or comprising more than four such buildings. [Section 2 (6).]

3. The premises must be approved by the department.

The following rules should be observed in connection with the general rules laid down in Schedule VII. of the Day School Code:—

(a) *Recreation Grounds.*

The superficial area of the uncovered ground should be not less than 30 square feet per child. The recreation grounds for girls and boys should be separate. There should be a covered gymnasium, or large shed open on one side, provided with ample top light and ventilation. Under supervision this may be used by boys and girls together.

(b) *Schoolrooms.*

The area should not be less than 20 square feet per child, and the cubic contents should not be less than 240 cubic feet. The position should be on the ground floor, near the playground. The exits for the sexes should be separate. Each desk should be for one child only.

(c) *Play Rooms.*

These should be of at least the same size as the schoolrooms.

(d) *Dining Rooms.*

These should be of sufficient size to seat each child comfortably, with space for the passage of waiters. The minimum area is 10 square feet per child.

(e) *Dormitories.*

The minimum width should be 18 feet, the minimum area should be 50 square feet per child, and the minimum cubic capacity 500 cubic feet per child. A separate bed must be provided for each child, with sufficient space between the beds.

A dormitory should be supervised by means of a window in the bedroom of the officer in charge. In houses, or homes, having small bedrooms, the officer's bedroom should be closely adjoining on the same floor, and the doors of the bedroom left wide open at night.

No boys over nine years of age should be lodged with girls, unless in a distinct wing approached by a separate staircase.

Boys under nine years of age may be housed in the same buildings with girls, but must have separate dormitories.

Each teacher should have a separate bedroom.

(f) *Sick Rooms.*

These should be separate for each sex, and should consist of two rooms at least in each case, viz., one for the patients and the other for the nurse. An aspect S.E., S., or S.W., is to be preferred.

A detached building is also necessary for infectious cases, except in the neighbourhood of a hospital to which cases can be readily conveyed.

(g) *Baths.*

These should be supplied with hot and cold water, and should be of sufficient number to enable each child to obtain a bath at least once a week in winter and twice in summer. Lavatory basins should be sufficient to enable each child to wash the hands, face, and upper portion of the body morning and evening.

(h) *Latrines.*

For day.—The provision of closets should be 10 per cent on the number of boys, together with a urinal; and 15 per cent on the number of girls, with facility for frequent supervision.

For night.—One or two closets should be provided adjoining the dormitories, but disconnected therefrom by a lobby having a current of air by windows on two sides.

(k) *Staircases and Corridors.*

These must be fireproof.

(l) *Fire Escapes.*

Where only one staircase exists, or where the dormitories are at some distance from the staircases, fire escapes should be provided.

4. No children may be admitted at less than seven years of age, or retained after reaching the age of 16.

5. The sexes should be separated as a rule, for all purposes, except meals and lessons and recreation under supervision.

6. The staff of every certified school must be approved by the Education Department.

7. The schools must be at all times open to the officers of the Education Department or of the school authorities by whom the children are sent.

8. The accounts must be audited by a professional auditor, and submitted to the department in such form as may be prescribed.

9. The provisions regulating religious instruction must be the same as those enacted by section eight of the Elementary Education (Blind and Deaf Children) Act, 1893.

10. Instruction must be given in accordance with the rules prescribed by the Education Department for day schools and classes for defective children.

11. Where the above conditions are satisfied, grants will be paid annually at the following rates for each unit of average attendance :—

For Instruction other than Manual Instruction, 50s.

For Manual Instruction of younger children 30s., and older children 40s.

For each complete tenth of a unit of average attendance a tenth of the above grant will be paid.

These grants are in lieu of the annual grant and the fee grant payable to ordinary public elementary schools.

## III.—CERTIFIED SCHOOLS FOR EPILEPTIC CHILDREN.

The following conditions must be fulfilled by schools that are certified for epileptic children :—

1. The schools must provide for the boarding, lodging, and medical treatment of the children as well as for their education. They must be exclusively confined to children who are epileptic within the meaning of the Elementary Education (Defective and Epileptic Children) Act, 1899.

2. No establishment established after the commencement of the Elementary Education (Defective and Epileptic Children) Act (9th August, 1899) can be certified for boarding and lodging more than 15 epileptic children in one building, or comprising more than four such buildings. [Section 2 (6) of the Act.]

3. The premises must be approved by the department. They should, if possible, be built all on one floor, so as to avoid the use of staircases. It is necessary that they should be situated in the country, or on a good pervious soil.

In other respects the rules laid down for the premises of certified schools for boarding and lodging defective children apply to the premises of certified schools for epileptic children.

4. No children may be admitted at less than seven years of age, or retained after reaching the age of 16.

5. The sexes should be separated, as a rule, for all purposes, except meals and lessons and recreation under supervision.

6. The staff of every certified school must be approved by the Education Department.

7. The schools must be at all times open to the officers of the Education Department or of the school authorities by whom the children are sent.

8. The accounts must be audited by a professional auditor, and submitted to the department in such form as may be prescribed.

9. The provisions regulating religious instruction must be the same as those enacted by section eight of the Elementary Education (Blind and Deaf Children) Act, 1893.

10. The school instruction should as nearly as possible resemble that given in an ordinary elementary school.

11. Not less than six hours of manual instruction must be given weekly to each child. It should have for its object—1, to train the hand and eye and brain; 2, to fit a child to earn a living; and it should be chosen with a view of improving the health of the children. More highly skilled forms of manual instruction than those provided for defective children may be suitable for epileptic children; and it will be necessary to guard against dangerous tools or machinery. The forms of manual training proposed should be submitted to the department for approval. For purposes of manual instruction children must be classed as “younger children” and “older children” respectively. This classification must not depend upon any fixed rule as to age, but must be made so as to assign to each child that form of manual instruction which is suitable to his skill and capacity.

12. Where the above conditions are satisfied, grants will be paid annually at the following rates for each unit of average attendance:

For Instruction other than Manual Instruction 50s.

For Manual Instruction of younger children 30s. and older children 40s.

For each tenth of a unit of average attendance a tenth of the above grants will be paid.

These grants are in lieu of the annual grant and the fee grant payable to ordinary public elementary schools.

#### SPECIAL SCHOOLS AND CLASSES.

##### Forms of Manual Instruction.

##### (a) Suitable for younger children—

Paper-mat making.

Clay-modelling.

Macramé-work and various other forms of string work.

Pricking, Colouring, and Kinder garten Sewing.

Basket-making.

Paper-folding.

Bead-threading.

Paper-cutting and mounting.

Building with cubes.

Worsted-work.

Needlework.

##### (b) Suitable for older boys—

Wood-work of various kinds.

Shoe-making.

Basket-making.

Modelling in pasteboard (the German *pappe-work*).

Chair-caning.

Mat-making.

Tailoring.

Gardening and Farm-work.

##### (c) Suitable for older girls—

Cookery.

Laundry-work.

Practical housewifery.

Needlework.

N.B.—Out of the minimum six hours per week of manual instruction not more than two hours may be devoted to needlework.



## (c) STATUTORY RULES AND ORDERS, 1900.

## REGULATIONS AS TO BOARDING-OUT DEFECTIVE CHILDREN.

[Elementary Education (Defective and Epileptic Children) Act, 1899,  
Section 2 (1).]

At the Council Chamber, Whitehall, the 26th day of February, 1900.

By the Lords of the Committee of Her Majesty's Most Honourable Privy Council on Education.

The Lords of the Committee of Privy Council on Education, by virtue and in pursuance of the powers in them vested under the Elementary Education (Defective and Epileptic Children) Act, 1899, and of every other power enabling them in this behalf, do order, and it is hereby ordered, that the following regulations be observed :—

1. A school authority may, subject to the provisions of these regulations, board-out defective children resident in their district in homes conveniently near to a school for the time being certified by the Education Department as suitable for providing elementary education for such children, respectively under arrangements approved by the Education Department with a boarding-out committee, constituted as hereinafter mentioned.

2. A boarding-out committee shall consist of three or more persons, to be approved by the Education Department, who shall have signed an engagement in the form annexed to this Order (Schedule I.).

3. Any person deriving any pecuniary or other personal profit from the boarding-out of any child shall be thereby disqualified from becoming or continuing to be a member of any such boarding-out committee.

4. The boarding-out committee shall from time to time appoint one of their members to act as secretary: and it shall be the duty of the secretary punctually to inform the Education Department of any vacancies which may be caused by death, resignation, or otherwise, amongst the members of the committee, and to submit the names of the persons proposed to fill the vacancies.

5. A child may be withdrawn from a home by its parents or by the school authority of the district from which the child is sent, notice of the intention to do so being given at least one week beforehand to the boarding-out committee; and the foster-parent shall, upon the demand of a person duly authorised in writing by the boarding-out committee, or by the school authority, or by the parent, deliver up the child to such person.

6. The regulations to be observed by the school authority with respect to such boarding-out of defective children shall be as follows :—

- (1) No child should be boarded-out without the parent's consent.
- (2) Except in the case of brothers or sisters there shall not be more than one defective child resident in the same home at the same time, whether boarded-out or not.
- (3) No child shall be boarded-out in a home in which, at the time when the child would first be placed in it, there would be with such child more than four children resident, or in which any poor law child is boarded-out by the guardians.
- (4) No child shall be boarded-out with any person who is at the time, or who has been within twelve months preceding, in receipt of relief; and if the foster-parent shall at any time become in receipt of relief, any child boarded-out with him shall be withdrawn from him.
- (5) The school authority shall, if possible, arrange for the boarding-out being with a person belonging to the religious persuasion of the child's parents. (Section 12 of the Act.)

- (6) No child shall be boarded-out without a certificate, in the Form annexed to this Order (Schedule II.), signed by a duly-qualified medical practitioner, stating the particulars of the child's health, such certificate to be forwarded by the school authority to the boarding-out committee.
- (7) Before receiving any child to be boarded-out with him the foster-parent shall sign an undertaking in duplicate, which shall, in addition to any other matter which may be agreed upon, contain an engagement on the part of the foster-parent that, in consideration of a certain sum per week, he will bring up the child as one of his own children, and provide the child with proper food, lodging, and washing, and endeavour to train the child in habits of truthfulness, obedience, personal cleanliness, and industry, as well as in such special industry or occupations as may be prescribed by the managers of the certified school which the child attends; that he will take care that the child shall attend duly at church or chapel according to the religious denomination to which the child belongs, and shall attend the particular certified school directed by the school authority according to the provisions of the law for the time being, and will make such provision as may be necessary for the escort of the child to and from church or chapel, and school; that he will provide for the proper repair and renewal of the child's clothing, and that, in case of the child's illness, he will forthwith report such illness to the school authority, to the child's parent, and to the boarding-out committee; and that he will at all reasonable times permit the child to be visited by his parent, and will at all times permit the child to be visited and the house to be inspected by any member of the boarding-out committee, and by any person specially appointed for that purpose by the school authority or by the Education Department. The undertaking shall also contain an engagement on the part of the foster-parent that he will, upon the demand of the child's parent or of a person duly authorised in writing by him or by the boarding-out committee, or by the school authority, give up possession of the child.

Such undertaking shall be made in triplicate according to the Form annexed to this Order (Schedule III.). One copy of it shall be kept by the foster-parent, another by the school authority, and another by the child's parent.

- (8) On the delivery of the child to the foster-parent an acknowledgment shall be given in the Form hereinafter prescribed (Schedule IV.), or to the like effect.
- (9) In no case shall the sum to be paid to the foster-parent for the maintenance of a child, inclusive of lodging, but exclusive of clothing, school-fees, fees for medical attendance, medicines, and extras ordered by a medical attendant, be less than six or more than ten shillings per week.
- (10) Unless arrangements can be made for transit by some public conveyance, no child shall be boarded-out in a home distant more than one mile from the certified school which the child attends.
- (11) The managers of the certified school shall undertake to receive the child and to send to the school authority at least once a quarter a written report upon the child, in the Form annexed to this Order. (Schedule V.)
- (12) No child shall be boarded-out in any home which is distant more than five miles by the nearest road of access from the residence of some member of the boarding-out committee.

7. Every boarded-out child shall be visited not less often than once in every month by a member of the boarding-out committee at the home of the foster-parent, and the visitor shall thereupon make a report in writing to

the committee, mentioning the apparent bodily condition and the behaviour of such child, and the state of the home, and all reasonable complaints made by the child or the foster-parent.

These reports shall be forwarded by the boarding-out committee to the school authority and the child's parent not less often than quarterly.

If in the case of any boarded-out child no such report shall be received by the school authority or the parent for the space of four consecutive months, the school authority shall in default of satisfactory explanation withdraw the child from the home with all reasonable expedition.

8.—(1) The clerk to the school authority shall, as soon as practicable after the first day of April and the first day of October in every year, make a return to the Education Department, in the Form annexed to this Order (Schedule VI), of the several children remaining so boarded-out on those dates respectively.

(2) The secretary to the boarding-out committee shall make a return to the Education Department as soon as practicable after the first day of January and the first day of July in every year of the several children remaining boarded-out under the supervision of the committee on those days respectively under these regulations. Such return shall be made according to the prescribed Form Schedule VII., of this Order.

9. If the Education Department shall withdraw from any boarding-out committee the authority to enter into arrangements with school authorities, the school authorities who have made arrangements with the said committee for the boarding-out of children shall, on receiving notice of such withdrawal, provide with all reasonable expedition for the return of all children boarded-out in homes found by such committee to their own homes or for their transfer to homes found by another boarding-out committee. Provided that it shall not be necessary for the school authority to take back such children if the Education Department declare that the withdrawal of authority from the committee shall not apply to children already boarded-out under their superintendence.

10. Where the arrangements made by a school authority with any boarding-out committee under these regulations, include the payment of any sums by such committee on behalf of the school authority, the school authority may, if they think fit, advance to the boarding-out committee quarterly a sum not exceeding three-fourths of the expenditure which, in pursuance of such arrangements, may reasonably be expected to be incurred by such committee during the ensuing quarter.

11. In this Order—

The term "foster-parent" means the persons or person with whom any child is boarded-out under the provisions of this Order.

Other expressions have, unless the contrary intention appears, the same meaning as in the Elementary Education (Defective and Epileptic Children) Act, 1899.

All words importing the masculine gender shall be deemed and taken to include females, and the singular to include the plural, and the plural the singular, unless the contrary as to gender or number is expressly provided.

G. W. KEKEWICH,  
Secretary.

### SCHEDULE I.

*Engagement to observe Regulations.*

[We, the undersigned, being desirous of being constituted a boarding-out committee\*] for the purpose of finding and superintending homes for defective children, do hereby, *in the event of our obtaining the requisite authority of the Education Department to act as a boarding-out committee*, engage truly and faithfully to observe the Regulations of the Education Department dated the 26th day of February, 1900, or which may from time to time be prescribed by the Education Department with respect to the boarding-out of defective children.

And We [or I] do also hereby undertake to furnish to the Education Department, or to any of Her Majesty's Inspectors of schools, all such reasonable information respecting children who may be boarded-out under the superintendence of the committee as the said department or inspectors may from time to time require.

We desire to be known as the  
Committee.

## Boarding-out

*Signatures in full*

*Addresses.*

Dated this            day of            190    .

SCHEDULE II.

*Medical Certificate.*

.....(School Authority).

I, the undersigned, having this day personally examined *C.D.*, aged \_\_\_\_\_ years, residing at \_\_\_\_\_, hereby certify that he is not suffering from any contagious or infectious disease, and that his bodily health is good [with the exception that: \_\_\_\_\_].

(Signed) .....

.....  
**Medical Qualifications** .....

Address .....

Dated this                      day of                      190 .

SCHEDULE III.

*Undertaking of Foster-Parent.*

## BOARDING-OUT OF DEFECTIVE CHILD.

.....School Authority.  
.....Boarding-out Committee.  
.....Name of Child's Parent.  
.....Name of Child.  
.....Religious denomination of Child's Parent.  
.....Name of Foster-Parent.  
.....Certified School which the child is to attend.

I, A.B., of \_\_\_\_\_, do hereby engage with the  
above-named school authority, in consideration of my receiving the sum of \_\_\_\_\_  
per week, to bring up C.D., aged \_\_\_\_\_ years on the  
day of \_\_\_\_\_ last, as one of my own children.

\* In the case of a proposed addition to the committee, substitute for the words in [ ] the following: "I, the undersigned, being desirous of becoming a member of the Boarding-out Committee formed," and also omit the words in italics.

† Insert name of place or district.

† Here state the particulars of any exceptions.



and to provide him with proper food, lodging, and washing, and to endeavour to train him in habits of truthfulness, obedience, personal cleanliness, and industry, as well as in such special industry or occupation as may be prescribed by the managers of the above-named certified school; to take care that the child shall attend duly at church [or chapel\*], and shall attend the above-named certified school according to the provisions of the law for the time being, and will make such provision as may be necessary for the escort of the child to and from church [or chapel] and school; that I will provide for the proper repair and renewal of the child's clothing, and that, in case of the child's illness, I will forthwith report such illness to the school authority, to the child's parent, and to the above-named boarding-out committee; and that I will at all reasonable times permit the child to be visited by his parent, and will at all times permit the child to be visited and the house to be inspected by any member of the boarding-out committee, and by any person specially appointed for that purpose by the school authority or by the Education Department. I do also hereby engage, upon the demand of the child's parent, or of a person duly authorised in writing by him or by the boarding-out committee, or by the school authority, to give up possession of the child.

†

Dated this                      day of                      190.

.....Signature (in full) of Foster-Parent.

..... Address of Foster-Parent.

..... Witness to the Signature of the Foster-Parent.

.....Address of Witness.

N.B.—1 Communications to the School Authority to be addressed .....

2 Communications to the Boarding-out Committee to be addressed .....

3 Communications to the Child's Parent to be addressed .....

#### SCHEDULE IV.

##### *Acknowledgment of Foster-Parent.*

.....School Authority.

I, A.B., of                      , hereby acknowledge that I have this day received C.D., aged                      years, from the above-named school authority, on the terms and conditions contained in the annexed undertaking; and that I have also received for the use of the said C.D. the articles of clothing set out in the list appended hereto.

Dated this                      day of                      190.

(Signed) ..... Address .....

(Witness).....

Address of Witness.....

#### List of Clothing.

(Here set out the articles in detail.)

\* Insert "church," or "chapel," according to the religious denomination to which the child's parent belongs.

† Any other matter which may be agreed upon may here be added.

## SCHEDULE V.

*School Managers' Report on Child.*

..... CERTIFIED SCHOOL. *Report for the Quarter ending* .....

| Name of Child. | Date of Birth. | Name and Address of Foster-Parent. | Days absent from School during the Quarter. | Alleged Causes of Absence. | Observations as to Appearance, Conduct, and Progress of Child. | Books and Stationery and other Apparatus supplied during the quarter. | School Fees and Cost of Books and Stationery and Apparatus. |
|----------------|----------------|------------------------------------|---|----------------------------|--|---|---|
|                |                |                                    |   |                            |  |   | £   s.   d.   |
|                |                |                                    |   |                            |  |   |   |
|                |                |                                    |   |                            |  |   |   |

(Signature) .....

(Address) .....

Date, .....

N.B.—This report may be arranged in any other manner which may be deemed more convenient, provided that all the particulars above mentioned be included in it.







## RULES FOR PLANNING AND FITTING-UP PUBLIC ELEMENTARY SCHOOLS (1902).

### PREFATORY NOTE.

The following rules are to be regarded as embodying the result of the experience of the Board of Education in school planning. They are intended to show school managers and their architects what the Board deem essential in the construction and design of school buildings, but in other respects they are not meant to restrict liberty of treatment.

Every part of a school building should be thoroughly adapted to the work of school teaching. Such a building therefore must be provided with an ample playground, must be of sufficiently solid construction, suitably lighted and warmed, and thoroughly ventilated without draughts. It must have a sufficient number of entrances and adequate cloakroom accommodation; scrupulous care must be devoted to sanitary arrangements. The rules which deal with these matters express in each case the principles to which the Board will expect all new buildings to conform.

The remaining rules are intended to aid in the production of buildings which shall be compact, properly sub-divided for class teaching, conveniently arranged for effective supervision by the principal teacher, and for the movement of the children from the entrances to the class rooms or from one class room to another. They also indicate how to obtain the most economical school building.

No school should ordinarily be built to accommodate more than 1,000 to 1,200 children in three departments. No single department should accommodate more than 400 children. A large school in three departments might conveniently be divided in the following proportions: Boys, 360; girls, 360; infants, 380. For departments of this size the most suitable plan is that of a central hall with the class rooms grouped round it; as a rule, such a department would probably require seven class rooms. Smaller departments may be planned conveniently with the class rooms opening from a corridor. For small schools a large room with one or more class rooms will be sufficient. There should always be at least one class room, except in special cases.

Where the site is sufficiently large, open and fairly level, the most economical plan is that of a school on a single floor. Such an arrangement is also preferable on educational grounds. In any case it is desirable that a school building should not be on more than two floors. A building on three floors is open to many objections, and should only be proposed in special circumstances, or on very costly sites.

Before instructing an architect, managers are recommended to have careful regard to the size and circumstances of the school, and to the number and qualifications of the staff to be employed. These considerations will determine approximately the method of grouping the scholars for instruction, and on this will depend the number and the accommodation of the rooms of which the school building should consist.

The annual cost of maintenance should be borne in mind as well as the initial capital expense.

Article 85 (a) of the Code provides as follows:—

“All new school premises and enlargements must be approved by the Board before such new premises and enlargements are passed under this Article.”

### REQUIREMENTS.

(Plans which do not fully comply with the following requirements cannot be considered.)

I. A block plan of the site, drawn in ink to a scale of 20 feet to an inch. This plan must indicate:—

- (a) The position of the school buildings.
- (b) Out-buildings.
- (c) Playground.
- (d) Drains (collateral and main), with their fall and depth below ground.
- (e) Entrances.
- (f) Boundary walls, or fences, and their nature.
- (g) Roads.
- (h) The points of the compass.
- (i) The levels of the ground at the principal point.

N.B.—For approval of site alone, the plan should show (g), (h), and (i).

II. A plan of each floor of the school rooms (and teacher's or caretaker's residence, if any) drawn in ink to a scale of 8 feet to an inch. The internal fittings of the room (fireplaces, groups of desks, etc.) must be accurately shown. The plan should also state whether the rooms are intended for boys, girls, or infants.

In cases of enlargement, a plan showing the buildings as they exist is needed.

III. Sections and at least four elevations, also drawn in ink to a scale of 8 feet to an inch. The ceiling, the positions of window heads in relation thereto, and the mode of ventilation must be shown.

N.B.—(a) Pencil drawings cannot be received, but coloured tracings in ink on tracing cloth may be submitted while plans are in the preliminary stage of pencil, so that suggested alterations can be adopted without difficulty or expense.

- (b) Diagrams are of no value, and cannot be accepted.
- (c) In the case of enlargements or alterations the whole site and the existing building should be as accurately shown in every respect as the proposed changes, and in such a manner that any change of numbers can be ascertained.
- (d) All plans should be dated, the scales drawn on and dimensions figured.

IV. A detailed specification separated under the several branches of the building trade.

V. A section of the desk proposed to be used, drawn to a scale of  $1\frac{1}{2}$  inches to a foot.

### RULES.

#### RULE 1.—PLANNING.

Every school must be planned so that the children can be seated in the best manner for being taught. The rooms must be grouped compactly and conveniently, so as to secure proper organisation and supervision. It is important to remember that the accommodation of every room depends not merely on its area, but also on the lighting,

the shape of the room (especially in relation to the kind of desk proposed), and the position of the doors and fireplaces.

The doors and fireplaces should be arranged so as to allow the whole of one side of any room to be left free for the groups of desks.

#### RULE 2.—CENTRAL HALLS.

A central hall should have a floor space of about  $3\frac{1}{2}$  but not exceeding 4 square feet for each scholar for whom the school is recognised. The hall must be fully lighted, warmed, and ventilated.

- (a) A single central hall may be provided for the joint use, at separate times, of two departments, provided that it is so placed as to be readily accessible from the class rooms of each department.
- (b) Where outdoor space is not available physical training should be given in the central hall (or corridor). This purpose should be taken into consideration at the time when the building is planned. Since fixed gymnastic apparatus is unsuitable for children under 14 years of age, a separate gymnasium is not required, and cannot be approved (Schedule III. of the Code 1 and 4).

#### RULE 3.—CORRIDORS.

Large schools not built with a central hall must be provided with a wide corridor giving access to the rooms.

A corridor should be fully and directly lighted and ventilated, and from 8 to 12 feet wide, according to the size of the school. Two or three of the rooms ought to be separated only by movable partitions, in order to secure flexible working.

#### RULE 4.—SCHOOL ROOMS.

A school room should never be designed for more than 120 children, and a room of even smaller size is desirable. The proper width is from 18 to 22 feet, according to the kind and arrangement of the desks (Rule 15); but very small school rooms need not be more than 16 feet wide.

No school room lighted from one side only can be approved. The gable ends should be fully utilised for windows, and there should be no superfluous windows opposite the teacher.

A school room which has no class room attached should not contain more than 600 square feet of floor space.

#### RULE 5.—CLASS ROOMS.

The number of class rooms should be sufficient for the size and circumstances of the school.

- (a) The class rooms should never be passage rooms from one part of the building to another, nor from the school rooms to the playground or yard. Both school rooms and class rooms must have independent entrances. Every room should be easily cleared without disturbance to any other room.
- (b) A class room should not be planned to accommodate more than from 50 to 60 children; but in special cases somewhat larger rooms may be approved. The minimum size is 18 feet by 15 feet, but if the desks are arranged parallel to the longer side of the room the width should be not less than 16 feet. In the absence of supplementary light the measurement from the window wall in a room 14 feet high should not exceed 24 feet 8 inches.

### RULE 6.—ACCOMMODATION.

The accommodation of a school for older scholars is based upon the number of children who can be seated at the desks, arranged in accordance with Rule 15, provided that a minimum of 10 square feet of floor space per child is obtained.

A central hall will not be counted in the accommodation, nor will a class room for cookery, laundry, manual instruction, drawing, or science.

### RULE 7.—WALLS, FLOORS, AND ROOFS.

The walls of every room for teaching, if ceiled at the level of the wall plate, must be at least 12 feet high from the level of the floor to the ceiling; if the area of the room exceed 360 square feet the height must be not less than 13 feet, and if it exceed 600 square feet, then the height must be at least 14 feet.

- (a) The walls of every room used for teaching, if ceiled to the rafters and collar beam, must be at least 11 feet high from the floor to the wall plate, and at least 14 feet to the ceiling across the collar beam.
- (b) Great care should be taken to render the roofs impervious to cold and heat.
- (c) Roofs open to the apex are very undesirable. They can only be permitted where the roofs are specially impervious to heat and cold, and where apex ventilation is provided. Iron tie rods are least unsightly when placed horizontally.
- (d) The whole of the external walls of the school and residence must be solid. If of brick the thickness must be at least one brick and a half, and if of stone at least 20 inches. Where hollow walls are proposed one portion must have the full thickness required for a solid wall.
- (e) All walls, not excepting fence walls, should have a damp-proof course just above the ground line.
- (f) The vegetable soil within the area of the building should be removed, the whole space covered by a layer of concrete not less than 6 inches thick, and air bricks inserted in opposite walls, to ensure a through current of air under floors for ventilation to joists.
- (g) Timber should be protected from the mortar and cement by asphalte or tar.

### RULE 8.—ENTRANCES.

Entrances should be separate for each department and sex. In large schools more than one entrance to each department is desirable. (See also Rule 9.) The principal entrances should never be through the cloak room. Entrance doors should open outwards as well as inwards. A porch should be external to the school room. An external door, having outside steps, requires a landing between the door and the threshold.

### RULE 9.—STAIRCASES.

There must be separate staircases for each sex and each department. Every staircase must be fireproof, and external to the halls, corridors, or rooms. Triangular steps or "winders" must not be used. Each step must be about 13 inches broad, and not more than 5½ to 6 inches high. The flights must be short, and the landings unbroken by steps. The number of staircases must be sufficient for daily use, but also for rapid exit in case of fire or panic. For any upper floor accommodating more than 250 a second staircase is essential.



### RULE 10.—CLOAK ROOMS AND LAVATORIES.

Cloak rooms should not be passages, and should be external to the school rooms and class rooms, with gangways at least 4 feet wide between the hanging rails, and amply lighted from the end. They should not be placed against the gable wall (see Rule 4). The hanging rail should be arranged so that the children can enter and leave the cloak room without confusion or crowding. Hat pegs should be 12 inches apart, numbered, and of two tiers. The lineal hanging space necessary to provide a second peg for each child is thus 6 inches.

Thorough ventilation is essential, so that smells are not carried into the school.

Lavatory basins are needed. (See Rule 14 (*h*).) Girls' schools require a larger number than boys' or infants'.

A lock-up slop sink, water tap, and cupboard are desirable for the caretaker.

### RULE 11.—LIGHTING.

Every part and corner of a school should be fully lighted. The light should, as far as possible, and especially in class rooms, be admitted from the left side of the scholars. (This rule will be found greatly to influence the planning; see Rules 4, 11 (*b*), and 12 (*a*).) All other windows in class rooms should be regarded as supplementary or for ventilation. Where left light is impossible, right light is next best. Windows full in the eyes of teachers or scholars are under no circumstances approved. In rooms 14 feet high, any space beyond 24 feet from the window wall is insufficiently lighted. (See Rule 5 (*c*).)

- (*a*) Windows should never be provided for the sake merely of external effect. All kinds of glazing which diminish the light and are troublesome to keep clean and in repair must be avoided. A large portion of each window should be made to open for ventilation and for cleaning.
- (*b*) The sills of the main lighting windows should be placed not more than 4 feet above the floor; the tops of some windows should reach nearly to the ceiling, with a portion made to swing. The ordinary rules respecting hospitals should here be remembered. Large spaces between the window heads and ceiling are productive of foul rooms.
- (*c*) Skylights are objectionable. They cannot be approved in school rooms or class rooms. They will only be allowed in central halls having ridge or apex ventilation.
- (*d*) The colouring of the walls and ceilings and of all fittings in the rooms should be carefully considered as affecting the light. This point and the size and position of the windows are especially important in their bearing on the eyesight of the children.

### RULE 12.—VENTILATION.

The chief point in all ventilation is to prevent stagnant air; particular expedients are only subsidiary to this main principle.

Apart from open windows and doors, there must be provision for copious inflow of fresh air, and also for the outflow of foul air at the highest point of the room. The best way of providing the latter is to build to each room a separate air chimney carried up in the same stack with smoke flues. An outlet should be by a warm flue or exhaust, otherwise it will frequently act as a cold inlet. Inlets are best placed in corners of rooms furthest from doors and fireplaces, and should be arranged to discharge upwards into the room. Gratings

in floors should never be provided. Inlets should provide a minimum of  $2\frac{1}{2}$  square inches per child and outlets a minimum of 2 inches. All inlets and outlets should be in communication with the external air.

Besides being continuously ventilated by the means above described, rooms should as often as possible be flushed with fresh air admitted through open windows and doors. Sunshine is of particular importance in its effects on ventilation, and also on the health of children.

- (a) Although lighting from the left hand is considered so important, ventilation demands also the provision of a small swing window as far from the lighting as possible, and near the ceiling.

#### RULE 13.—WARMING.

The heat should be moderate and evenly distributed so as to maintain a temperature of from 56 degrees to 60 degrees. When a corridor or lobby is warmed, the rooms are more evenly dealt with and are less liable to cold draughts. Where schools are wholly warmed by hot water, the principle of direct radiation is recommended. In such cases open fireplaces in addition are useful for extra warming on occasions, and their flues for ventilation always.

- (a) A common stove, with a pipe through the wall or roof, can under no circumstances be allowed. Stoves are only approved when—
  - (i.) Provided with proper chimneys (as in the case of open fires);
  - (ii.) Of such a pattern that they cannot become red hot, or otherwise contaminate the air;
  - (iii.) Supplied with fresh air, direct from the outside, by a flue of not less than 72 inches superficial; and
  - (iv.) Not of such a size or shape as to interfere with the floor space necessary for teaching purposes.
- (b) A thermometer should always be kept hung up in each room.
- (c) Fireplaces and stoves should be protected by fireguards.

#### RULE 14.—SANITARY ARRANGEMENTS.

Water closets within the main school building are not desirable, and are only required for women teachers. All others should be at a short distance and completely disconnected from the school. Privies should be fully 20 feet distant.

- (a) The latrines and the approaches to them must be wholly separate for the two sexes. In the case of a mixed school this rule especially affects the planning. Passages or corridors should not be used by both sexes; where such an arrangement is unavoidable, there must be complete supervision from the class rooms by sheets of clear glass.
- (b) Each closet must be not less in the clear than 2 feet 3 inches wide, nor more than 3 feet, fully lighted and ventilated, and supplied with a door. The doors should be at least 3 inches short at the bottom and at least 6 inches short at the top. More than one seat is not allowed in any closet.
- (c) The children must not be obliged to pass in front of the teacher's residence in order to reach their latrines.

(d) The following table shows approximately the number of closets needed:—

|          |          | For Girls. |       | For Boys. |       | For Infants. |
|----------|----------|------------|-------|-----------|-------|--------------|
| Under 30 | children | 2          | ..... | 1         | ..... | 2            |
| " 50     | "        | 3          | ..... | 2         | ..... | 3            |
| " 70     | "        | 4          | ..... | 2         | ..... | 3            |
| " 100    | "        | 5          | ..... | 3         | ..... | 4            |
| " 150    | "        | 6          | ..... | 3         | ..... | 5            |
| " 200    | "        | 8          | ..... | 4         | ..... | 6            |
| " 300    | "        | 12         | ..... | 5         | ..... | 8            |

There should be urinals in the proportion of 8 feet per 100 boys.

- (e) Earth or ash closets of an approved type may be employed in rural districts, but drains for the disposal of slop and surface water are necessary. Cesspits and privies should only be used where unavoidable, and should be at a distance of at least 20 feet from a school. (Building form "A," which may be obtained on application, gives suggestions as to their construction and arrangement.) The proximity of drinking wells should be carefully avoided.
- (f) Soil drains must always be laid outside the building (on a hard even bottom of concrete) in straight lines, with glazed stoneware pipes, carefully jointed in cement and made absolutely watertight. A diameter of 4 inches is sufficient except for drains receiving the discharge of more than 10 closets, when the diameter should be 6 inches. The fall should never be less than 1 in 30 for 4-inch, and 1 in 40 for 6-inch drains. An inspection opening or chamber should be provided at each change of direction, so as to facilitate cleansing the drain without opening the ground. Every soil drain must be disconnected from the main sewer by a properly-constructed trap placed on the line of drain between the latrines and the public sewer. This trap must be thoroughly ventilated by at least two untrapped openings; one being the 4-inch soil pipe carried up full size above the roof, and the other an inlet pipe connected with the side of the trap furthest from the public sewer. Automatic flushing tanks are desirable where trough closets are used.
- (g) Urinals must in all cases have a sufficient supply of water for flushing.
- (h) Waste pipes from sinks or lavatories should be first trapped inside and then made to discharge direct through an outer wall over a trapped gully.

#### RULE 15.—DESKS.

Seats and desks should be provided for all the children, graduated according to their ages, and placed at right angles to the window wall. (See also Rules 4 and 11.) The seats should be fitted with backs.

An allowance of 18 inches per scholar at each desk and seat will suffice (except in the case of the dual desk), and the length of each group should therefore be some multiple of 18 inches, with gangways of 18 inches between the groups and at the walls. In the case of the dual desk the usual length is 3 feet 4 inches, and the gangways 1 foot 4 inches.

- (a) No desks should be more than 12 feet long. In an ordinary classroom five rows of long desks or six rows of dual desks are best; but in a schoolroom or room providing for more than

60 children, there should not be more than four rows of long desks or five rows of dual desks.

If a schoolroom is 18 feet wide, three rows of long desks or four of dual desks may be used; if the width is 22 feet, the rows may be four and five respectively.

Long desks should be so arranged that the teacher can pass between the rows. Where dual desks are used this is not necessary, as the gangways give sufficient access.

- (b) The desks should be very slightly inclined. An angle of 15 degrees is sufficient. The objection to the flat desk is that it has a tendency to make the children stoop. A raised ledge in front of a desk interferes with the arm in writing. The edge of the desk when used for writing should be vertically over the edge of the seat.
- (c) Single desks are not necessary in an ordinary Public Elementary school, and cannot be approved.

#### RULE 16.—SITES AND PLAYGROUNDS.

Every school must have an open, airy playground proportioned to the size and needs of the school, and the site should, if possible, have a building frontage in proportion to its area. A site open to the sun is especially valuable for the children, and important in its effects on ventilation and health. The minimum size of site is, in the absence of exceptional circumstances, a quarter of an acre for every 250 children, irrespective of the space required for a teacher's or caretaker's house, or for a cookery or other centre. If the school is of more than one storey, this area may be proportionately reduced; but a minimum unbuilt-on or open space of 30 square feet per child should be preserved.

- (a) In the case of a mixed school of large size, playgrounds should be separate for boys and girls, and should, where practicable, have separate entrances from the road or street.
- (b) All playgrounds should be fairly square, properly levelled, drained, and enclosed. A portion should be covered, having one side against the boundary wall. A covered way should never connect the offices with the main building; buttresses, corners, and recesses should be avoided.
- (c) An infants' school should have its playground on the same level as the school, and a sunny aspect is of special importance.

#### RULE 17.—INFANTS' SCHOOLS.

Infants should not, except in very small schools, be taught in the same room with older children, as the methods of instruction suitable for infants necessarily disturb the discipline and instruction of the other scholars. Access to the infants' room should not be through the older scholars' schoolroom.

- (a) The partition between an infants' room and any other school room should be impervious to sound, and there should be no habitual means of direct communication other than an ordinary door.
- (b) An infants' school and playground must always be on the ground floor.
- (c) No infants' classroom should accommodate, as a rule, more than 60 infants.
- (d) A space in which the children can march and exercise should be provided. A corridor intended for this purpose should not be less than 16 feet wide.



- (e) The babies' room should always have an open fire, and should be maintained at a temperature of not less than 60 degrees.
- (f) In infants' schools an allowance of 16 inches per child at long desks will be sufficient. Dual desks should be 3 feet long.
- (g) The accommodation of an infants' school is based upon the number of children who can be seated at the desks, provided that a minimum of 9 square feet of floor space per child is obtained.

#### RULE 18.—ROOMS FOR COOKERY, MANUAL INSTRUCTION, ETC.

As a rule, a single room for cookery, or laundry work, or manual instruction, or science, or drawing will serve for more than one school if provided as a centre in a convenient position. Every such centre should have its own lavatory and cloak room.

Large schools, or schools of an exceptional type, may sometimes require special rooms for their exclusive use.

##### (a) *Cookery.*

A cookery room should be capable of accommodating 12 to 18 at practice, or 36 to 54 at demonstration at any one time. The larger size will require 750 superficial feet and 10,500 cubic feet. Provision for instruction in scullery work is necessary.

The sink should be placed in full view of the teacher and children, and should be fitted with a cold water supply and a waste pipe.

There should also be a gallery or raised platform with desks to accommodate 36 to 54 children, according to the size of the room.

The floor space for practical work should afford about 20 square feet for each scholar, and should not be encumbered with desks, cupboards, or stoves.

In cookery rooms the ventilation needs special arrangements. Where a gas stove is used, it may be necessary to have a pipe fixed to carry off noxious fumes. The temperature should not be allowed to rise above 70 degrees.

The apparatus for lessons in cookery should include such stoves and other appliances as are usually found in the homes of the children.

##### (b) *Laundry Work.*

A laundry should be of simple construction, and entirely apart from the ordinary school buildings.

The proper size for a laundry is about 750 square feet. It should have a gallery or raised platform, with desks for 42 children.

Laundry tables should be large enough to allow at least three feet of space for each child when ironing.

The ventilation of rooms for laundry work needs special arrangements.

##### (c) *Manual Instruction.*

In its plan, arrangements, construction, lighting, and ventilation a manual instruction room should be modelled on a workshop rather than on a school. The construction should accordingly be simple. The roof may be either of lean-to or other ordinary form, according to circumstances. Its height at the windows in front of the benches need not be more than 10 feet. The light must be ample. The temperature should not be so high as in an ordinary class room. A flat ceiling is not, as a rule, necessary. Ample ventilation should be provided by inlets at a height of 5 feet from the floor, and by outlets at the highest point.

*(d) Science Rooms.*

A room suitably fitted for elementary practical work in science may be provided for the use of one large or several contributory schools. Such a science room should not, as a rule, contain more than 600 square feet of floor space. It should be fitted with strong and plain tables, sinks, cupboards, and shelves, and where necessary a fume closet. A proper supply of gas is necessary.

In addition to a science room one of the ordinary class rooms may be fitted with a simple demonstration table and gas and water supply. But a special lecture room cannot be approved in an ordinary public elementary school.

*(e) Drawing Class Rooms.*

A drawing class room can only be sanctioned where it is likely to be used for reasonable time every week by the scholars from one large or several contributory schools. A suitable size for such a room is 600 square feet of floor space.

**RULE 19.—HIGHER ELEMENTARY SCHOOLS.**

For a higher elementary school accommodating from 300 to 350 scholars, 10 class rooms will generally be required, since every class should have its own class room. No class room should accommodate more than 40 scholars.

- (a) (i.) The class rooms may be furnished with single or dual desks as may be desired. Single desks should be 2 feet long, arranged in pairs, with intervals of 2 inches and gangways of 2 feet.
- (ii.) If single desks are adopted, a class room should have an area of about 16 square feet per scholar. Class rooms fitted with dual desks need not be so large, but a minimum of about 13 square feet per scholar will be required.
- (b) Every higher elementary school should be provided with suitable laboratories.
  - (i.) The laboratory accommodation must be sufficient to provide at one time for the largest class in the school.
  - (ii.) There should generally be one laboratory for chemistry and one for physics.
  - (iii.) A laboratory should afford 30 square feet of floor space for each scholar; the minimum size will therefore be 600 square feet, but it is, as a rule, desirable that the laboratory should be somewhat larger. If, however, the laboratory accommodates more than 25 scholars, a second teacher would be required.
  - (iv.) Laboratories must be fitted with suitable tables, which must be well lighted; they should be properly supplied with gas and water. For chemical laboratories, sinks, cupboards, and the necessary fume closets must be provided.
  - (v.) A small balance room may be provided if desired.
- (c) (i.) In addition to the class rooms and laboratories a higher elementary school may include a lecture room, which should be fitted with (1) a demonstration table furnished with a gas and water supply and a sink, and (2) a fume closet. A lecture room should have an area of about 750 square feet.

- (ii.) If no separate lecture room is provided, each of the class rooms used by the third and fourth years should be fitted with a simple demonstration table.
- (iii.) A small preparation room, fitted with bench, sink, cupboard, and shelves, and proper supply of gas should be provided in a convenient position.
- (d) A drawing class room for the more advanced drawing is desirable. It should provide 30 square feet of floor space for each scholar; the best size will be a room with an area of 750 square feet. If suitably lighted, the hall would answer for this purpose.
- (e) Other special rooms of cookery, laundry work, and manual instruction should be provided in accordance with Rule 18.
- (f) A higher elementary school should be planned with a central hall; but no class, other than drawing, can be recognised in such a hall. Good dimensions for such a hall would be 50 feet by 25 feet.

#### RULE 20.—TEACHER'S HOUSE, ETC.

The residence for the master or mistress should contain a parlour, a kitchen, a scullery, and three bedrooms, and the smallest dimensions which the board can approve are—

|                         |                  |                            |   |  |
|-------------------------|------------------|----------------------------|---|--|
| For the parlour .....   | 14 ft. by 12 ft. | } of super-<br>ficial area | { | 9 ft. in height to wall plate.                   |
| „ „ kitchen.....        | 12 ft. by 12 ft. |                            |   | 9 ft. „ „ „                                      |
| „ „ one of the bedrooms | 14 ft. by 12 ft. |                            |   | 8 ft. if ceiled at wall plate ;                  |
| „ „ two other bedrooms  | 12 ft. by 8 ft.  |                            |   | or 7 ft. to wall plate, and<br>9 ft. to ceiling. |

- (a) The residence must be so planned that no room is a passage room, and that the chimneys are not all on the external walls.
- (b) There must be no internal communication between the residence and the school.
- (c) Windows should be carried up as nearly to the ceiling as practicable.
- (d) There must be a separate and distinct yard, with offices.
- (e) No dwelling house should be built as part of the schoolhouse.

#### RULE 21.—LOANS.

The board do not entertain applications for loans in respect of expenditure incurred without their previous sanction, which is based on plans, specifications, and actual tenders. Applications for loans should therefore include all the items in the first instance.

In order to secure due economy and the avoidance of confusion at completion, a provisional prime cost amount of not more than 2½ per cent may, if considered desirable, be included in building contracts in view of unavoidable contingencies, but the contract should contain a clause that no claim for extras can be even considered, unless the work has been ordered in writing by the architect, and the order bears the counter signature of the clerk of the School Board.

#### RULE 22.—LIMITS AND ALLOWANCES.

No loan of money can be obtained from the Public Works Loan Commissioners unless the whole cost of the school, exclusive of site, legal expenses, extra rooms for instruction authorised by the Code, and residences (if any), is kept within the sum of £10 per child accommodated.

(a) Additional allowances will be made on the following scale:—

|  |                              |
|--|------------------------------|
| For a central hall or corridor .....                           | 15s. per square foot.        |
| For a cookery or laundry room .....                            | 20s. per square foot.        |
| For a manual instruction room...                               | 10s. to 15s per square foot. |
| For a science room, laboratory, or<br>drawing class room ..... | 20s. per square foot.        |
| For a teacher's room .....                                     | 15s. per square foot.        |
| For a teacher's house .....                                    | £500 to £750.                |
| For a caretaker's house .....                                  | not more than £400.          |

For glazed bricks and fireproof floors (when necessary) allowance will be made according to the circumstances of the case.

Allowance for mechanical ventilation will only be made in districts where the air ought to be filtered before entering the building.

- (b) No additional allowance will be made in respect to any room which exceeds the maximum size specified in these rules, in so far as regards such excess.
- (c) Whether the necessary loan be borrowed in the open market or not, extravagant plans cannot be approved.\*

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For Rules, Planning of Defective Schools, see pages 520, 523; and for Epileptic Children, 524.

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\* Cost of School Provision: The £10 limit (Rule 22), added to the foregoing additional allowances, all necessary, will, as a rule, bring up the cost of an economically arranged school to from £14 to £16 per head, exclusive of cost of site.





PART IV.

SPECIMEN FORMS, &c.

|  | PAGE     |
|--|----------|
| I. DUPLICATE REGISTER .....  | 549, 550 |
| II. OFFICER'S REPORT, &c. DEFAULTERS UNDER BYE-LAWS.....           | 551-553  |
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| V. MONTHLY RETURNS OF ATTENDANCE FOR MANAGERS AND<br>TEACHERS..... | 557, 558 |
| VI. REQUISITION FOR BOOKS AND STATIONERY .....                     | 559      |



Each page to be ruled for 13 weeks.

[FORM I.—]DUPLICATE REGISTER.]

[FRONT PAGE.]

In Standard.....

Department.....

School.....

| NAME. | Age. | ADDRESS. | Date.....         |       | Date.....         |       | Date.....         |       | Date.....         |       | Date.....         |       |
|-------|------|----------|-------------------|-------|-------------------|-------|-------------------|-------|-------------------|-------|-------------------|-------|
|       |      |          | Officer's Report. | Open. | Officer's Report. | Open. | Officer's Report. | Open. | Officer's Report. | Open. | Officer's Report. | Open. |
| 1     |      |          |                   |       |                   |       |                   |       |                   |       |                   |       |
| 2     |      |          |                   |       |                   |       |                   |       |                   |       |                   |       |
| 3     |      |          |                   |       |                   |       |                   |       |                   |       |                   |       |
| 4     |      |          |                   |       |                   |       |                   |       |                   |       |                   |       |
| 5     |      |          |                   |       |                   |       |                   |       |                   |       |                   |       |
| 6     |      |          |                   |       |                   |       |                   |       |                   |       |                   |       |
| 7     |      |          |                   |       |                   |       |                   |       |                   |       |                   |       |
| 8     |      |          |                   |       |                   |       |                   |       |                   |       |                   |       |

Each page to be ruled for 50 names.



[DUPLICATE REGISTER.]

[BACK PAGE.]

## (FOR TEACHER.)

All entries must correspond with Class No. and Name on the front page.

## (FOR OFFICER.)

To be used by the Officer when further explanation is required. The remarks must be put in a line with the Class No., which must correspond with the Class No. on the front page.

Class No.

Name.

Old Address.

Last School.

Class No.

1 2 3 4 5 6 7 8 9

1 2 3 4 5 6 7 8 9

Each page to be ruled for 50 names.

[FORM II.—OFFICER'S REPORT: DEFAULTERS UNDER BYE-LAWS. (SEE II.a AND II.b.)]

MANCHESTER SCHOOL BOARD.—INFORMATION FOR ROTA AND PROSECUTION FORM.

| District.  |                           |                 | Name of Parent   |                         |                                     | Date of Rota Meeting           |                            |  | 190      |                     |   |          |
|--|---------------------------|-----------------|------------------|-------------------------|-------------------------------------|--------------------------------|----------------------------|--|----------|---------------------|---|----------|
| Name of each person over 15 living at home.  | Relationship of Children. | Age.            | Occupation.      | In work or out of work. | Address.                            | State of Health.               | Parochial or other relief. | No. of times previously before the Committee (if any). | Remarks. |                     |   |          |
| Names of Children under 14.  | Age.                      | Name of School. | Standard passed. | State of Health.        | School Fees remitted or paid (r.p.) | Attendances for 13 weeks ended |                            |  | 190      | Total Attend-ances. | Number of times previously Summoned (if any). | Remarks. |
|  |                           |                 |                  |                         |                                     |                                |                            |  |          |                     |   |          |
| <p><i>What is the Character of the Family? [If the case is one of distress, state any such fact, with any other information likely to assist the Committee in determining upon their action] }</i></p> <p><i>Last Report on Case and Date of Visit</i></p>   |                           |                 |                  |                         |                                     |                                |                            |  |          |                     |   |          |
| <p><i>I hereby declare the above to be a truthful statement to the best of my information and belief,</i></p> <p><i>Date of last Summons and Result</i></p> <p><i>Decision of Committee</i></p> <p><i>Clerk attending Committee.</i></p>   |                           |                 |                  |                         |                                     |                                |                            |  |          |                     |   |          |
| <p><i>Attendances for days ended</i></p> <p><i>190</i></p> <p><i>Name of School,</i></p> <p><i>Reason for Noncompliance and Name of Reporter.</i></p> <p><i>We, the undersigned Members of the City of Manchester School Board, direct the prosecution of this case.</i></p> <p><i>Date of Hearing in Court, and Result.</i></p> <p><i>Clerk to the Board.</i></p> <p><i>190</i></p> |                           |                 |                  |                         |                                     |                                |                            |  |          |                     |   |          |

Supplementary Form, see next page.

Period.....weeks ended.....190

## INFORMATION FOR PROSECUTION.

Name of Defendant.....Address.....Street.

Is Defendant in work?.....Is there any sickness in the family?.....

| Name of Child.  | Age. | Standard Passed. | Amount of Fee (if any). | Name of School.                             | Attendances. | Total Attendances. | No. of Times School was open. | No. of Times previously Summoned. |
|---|------|------------------|-------------------------|---|--------------|--------------------|-------------------------------|-----------------------------------|
| <p>..... Superintendent. ....190</p>  |      |                  |                         |   |              |                    |                               |                                   |
| <p>We, the undersigned Members of the School Board, direct the prosecution of the case.</p> |      |                  |                         | <p>Date of hearing in Court and result.</p> |              |                    |                               |                                   |
| <p>Clerk of the Board.</p>  |      |                  |                         | <p>.....190</p>                             |              |                    |                               |                                   |

(Supplementary Form for use when case again goes before Magistrates. This is attached to Form II.)

# **ELEMENTARY EDUCATION ACTS.**

School \_\_\_\_\_

Street, \_\_\_\_\_

I \_\_\_\_\_ Principal Teacher of the above-named  
 School, hereby certify that \_\_\_\_\_, residing at \_\_\_\_\_  
 is a scholar in my department, \_\_\_\_\_  
 and has attended School in accordance with the provisions of the Code \_\_\_\_\_ days  
 out of \_\_\_\_\_ times the School has been open during the \_\_\_\_\_  
 ended \_\_\_\_\_ 190 \_\_\_\_\_ As witness my hand this \_\_\_\_\_  
 day of \_\_\_\_\_ 190 \_\_\_\_\_

Principal Teacher of \_\_\_\_\_ School.

(To be attached to Form II. For prosecution purposes.)

[FORM III.—ABSENTEE NOTE.]



# CITY OF MANCHESTER SCHOOL BOARD.

## NOTICE TO PARENTS.

The Law requires children to attend School every time the School is open, unless prevented by illness or some other cause satisfactory to the School Board.

If a child is late, it has to be considered absent, and all absences, either through non-attendance or lateness, must be reported by the Head Teacher to the Board.

In all cases of a child's irregular attendance at School, its parent is liable to be summoned before the School Board, and if the irregular attendance is considered to be without sufficient cause and is persisted in, parents are then summoned to appear before the Magistrates.

By order,

CHARLES HENRY WYATT,  
Clerk of the Board.

School,

190

To Mrs. \_\_\_\_\_

Your Child \_\_\_\_\_ was absent

from School this \_\_\_\_\_ noon. Please state the reason  
below, and return this note to the Teacher.

— — —  
PARENT'S ANSWER.



[FORM IV.]

MONTHLY REPORT OF SCHOOL ATTENDANCE OF DISTRICT

| Progressive Number.             | School.                 | Denomination. | Department. | Month ending Nov. 28, 1902. |              | Month ending Nov. 29, 1901. |         | Increase. |          |         | Decrease. |          |         | Children under five years of age, through sickness. | PERCENTAGE OF AVERAGE. |       |        |        |          | Progressive Number. |      |      |      |      |      |   |
|---------------------------------|-------------------------|---------------|-------------|-----------------------------|--------------|-----------------------------|---------|-----------|----------|---------|-----------|----------|---------|---|------------------------|-------|--------|--------|----------|---------------------|------|------|------|------|------|---|
|                                 |                         |               |             | Accommodation.              | Therapeutic. | Average.                    | Actual. | Books.    | Average. | Actual. | Books.    | Average. | Actual. |   | Books.                 | Boys. | Girls. | Mixed. | Infants. |                     |      |      |      |      |      |   |
|                                 |                         |               |             |                             |              |                             |         |           |          |         |           |          |         |   |                        |       |        |        |          |                     |      |      |      |      |      |   |
| <b>I.</b>                       |                         |               |             |                             |              |                             |         |           |          |         |           |          |         |   |                        |       |        |        |          |                     |      |      |      |      |      |   |
| <i>Officer: A. R. Garrison.</i> |                         |               |             |                             |              |                             |         |           |          |         |           |          |         |   |                        |       |        |        |          |                     |      |      |      |      |      |   |
| 1                               | Waterloo Road .....     | Bd.           | M.          | 1020                        | 834          | 873                         | 913     | 854       | 898      | 935     |           |          |         |   | 20                     | 25    | 22     |        | 1        | 2                   | 1    | 2    | 1    | 2    | 1    | 2 |
| 2                               |                         |               | I.          | 350                         | 338          | 356                         | 389     | 329       | 346      | 367     | 9         | 10       | 22      |   |                        |       |        | 116    | 48       |                     | 95.5 | 91.3 |      | 94.9 | 86.9 | 1 |
| 3                               | St. John's, Cheetham N. | M.            | M.          | 406                         | 409          | 423                         | 440     | 372       | 388      | 402     | 37        | 35       | 38      |   |                        |       |        |        | 25       |                     | 96.7 | 93.0 |      |      |      | 3 |
| 4                               |                         | I.            | I.          | 164                         | 198          | 216                         | 250     | 177       | 203      | 228     | 21        | 13       | 2       |   |                        |       |        | 73     | 55       |                     |      |      | 91.7 | 86.1 | 4    |   |
| <b>II.</b>                      |                         |               |             |                             |              |                             |         |           |          |         |           |          |         |   |                        |       |        |        |          |                     |      |      |      |      |      |   |
| <i>Officer: J. Condon.</i>      |                         |               |             |                             |              |                             |         |           |          |         |           |          |         |   |                        |       |        |        |          |                     |      |      |      |      |      |   |
| 5                               | Broughton Street....    | Bd.           | M           | 258                         | 146          | 152                         | 155     | 165       | 171      | 178     |           |          |         |   | 19                     | 19    | 23     |        | 6        |                     | 96.1 | 91.2 |      |      |      | 5 |
| 6                               |                         | I.            | I.          | 110                         | 49           | 52                          | 54      | 31        | 36       | 41      | 18        | 16       | 13      |   |                        |       |        | 20     | 6        |                     |      |      | 94.2 | 90.7 | 6    |   |
| 7                               | Southall Street .....   | Bd.           | B.          | 647                         | 583          | 602                         | 612     | 523       | 554      | 568     | 50        | 48       | 44      |   |                        |       |        |        | 21       | 96.8                | 95.3 |      |      |      |      | 7 |
| 8                               |                         | G.            | G.          | 546                         | 470          | 485                         | 497     | 420       | 436      | 457     | 50        | 49       | 40      |   |                        |       |        |        | 63       |                     | 96.9 | 94.6 |      |      |      | 8 |
| 9                               |                         | I.            | I.          | 423                         | 519          | 540                         | 552     | 420       | 445      | 471     | 99        | 95       | 81      |   |                        |       |        | 109    | 86       |                     |      |      | 96.1 | 94.0 | 9    |   |

## SUMMARY. (End of Form IV.)

| Denomination.      | Account-<br>ation. | Month ended November<br>28th, 1902. |         | Percentage of<br>Average on |          | Month ended November<br>28th, 1901. |                  | Percentage of<br>Average on |                  | Increase. |         | Decrease. |         |
|--------------------|--------------------|-------------------------------------|---------|-----------------------------|----------|-------------------------------------|------------------|-----------------------------|------------------|-----------|---------|-----------|---------|
|                    |                    | Average.                            | Actual. | No. on<br>Books.            | Average. | Actual.                             | No. on<br>Books. | Actual.                     | No. on<br>Books. | Average.  | Actual. | Average.  | Actual. |
|                    |                    |                                     |         |                             |          |                                     |                  |                             |                  |           |         |           |         |
| Board .....        | 57621              | 49049                               | 32258   | 91.42                       | 88.62    | 42859                               | 50354            | 92.85                       | 85.12            | 3452      | 2890    | 1904      | 1904    |
| Church of England. | 36621              | 27955                               | 29944   | 93.36                       | 86.56    | 27571                               | 30030            | 91.81                       | 83.58            | 384       | ..      | ..        | ..      |
| Roman Catholic.    | 18858              | 14084                               | 15251   | 92.35                       | 87.24    | 13296                               | 14692            | 90.50                       | 82.18            | 788       | 559     | 159       | ..      |
| British .....      | 3218               | 3378                                | 3548    | 95.26                       | 90.70    | 3077                                | 3264             | 94.27                       | 88.42            | 141       | 114     | 68        | ..      |
| Wesleyan .....     | 3001               | 2250                                | 2426    | 93.00                       | 86.81    | 2173                                | 2358             | 92.15                       | 84.06            | ..        | ..      | ..        | 159     |
| Totals .....       | 120076             | 99872                               | 106670  | 93.79                       | 87.82    | 88976                               | 96503            | 92.20                       | 84.42            | 4765      | 3563    | 2131      | 67      |
|                    |                    |                                     |         |                             |          |                                     |                  |                             |                  |           |         | 194       | 854     |

## GENERAL SUMMARY.

|                                  | Average. | Actual. | No. on<br>Books. | Percentage of<br>Average on |                  | Attendance in Infant Schools<br>only. |         | Infant Schools<br>Percentage of<br>Average on |         | Children<br>under<br>Five Years<br>of Age. | Children<br>Absent<br>through<br>Sickness. |                  |
|----------------------------------|----------|---------|------------------|-----------------------------|------------------|---------------------------------------|---------|---|---------|--|--|------------------|
|                                  |          |         |                  | Actual.                     | No. on<br>Books. | Average.                              | Actual. | No. on<br>Books.                              | Actual. |  |  | No. on<br>Books. |
|                                  |          |         |                  |                             |                  |                                       |         |   |         |  |  |                  |
| Month ended November 28th, 1902. | 93674    | 99872   | 106670           | 93.79                       | 87.82            | 26037                                 | 28517   | 31633   | 91.30   | 82.31                                      | 9208                                       | 11225            |
| Month ended November 28th, 1901  | 88976    | 96503   | 105393           | 92.20                       | 84.42            | 23788                                 | 27827   | 31238   | 85.49   | 76.15                                      | 8772                                       | 13388            |
| Increase .....                   | 4698     | 3369    | 1277             | 1.59                        | 3.40             | 2249                                  | 690     | 395   | 5.81    | 6.16                                       | 436  | ..               |
| Decrease .....                   | 5298     | ..      | ..               | ..                          | ..               | or 9.45                               | or 2.48 | or 1.21                                       | ..      | ..   | ..   | 2165             |
|                                  |          | or 3.49 | or 1.22          | ..                          | ..               |                                       |         |   | ..      | ..   | ..   | ..               |

\* St. Luke's School, Lighthdown (No. 135), was closed by the Managers, January 31st, 1902.  
 \* St. Ann's Board School, Queen Street (No. 363), was closed May 30th, 1902.  
 \* Lancasterian Board School (No. 68) was closed September 19th, 1902.

Manchester School Board.

## ATTENDANCE IN BOARD SCHOOLS DURING THE MONTH ENDED NOVEMBER 28th, 1902.

## 1.—SCHOOLS FOR OLDER SCHOLARS.

| Name of School.            | Dept. | Average Attendance. | Number on Books. | Percentage of Average Attendance as compared with the Number on Books. |
|----------------------------|-------|---------------------|------------------|--|
| Mill Street Day Industrial | M.    | 163                 | 164              | 99.4   |
| Mulberry Street .....      | B.    | 241                 | 246              | 97.9   |
| Mulberry Street .....      | G.    | 280                 | 292              | 95.9   |
| Granby Row.....            | B.    | 183                 | 192              | 95.3   |
| Southall Street .....      | B.    | 583                 | 612              | 95.3   |
| Granby Row .....           | G.    | 168                 | 177              | 94.9   |
| TOTALS .....               | ...   | 3449                | 38626            | 90.5   |

## II.—INFANTS' SCHOOLS.

| Name of School.        | Average Attendance. | Number on books. | Percentage of Average Attendance as compared with the Number on Books. |
|------------------------|---------------------|------------------|--|
| Southall Street.....   | 519                 | 552              | 94.0   |
| Varna Street.....      | 420                 | 451              | 93.1   |
| Thomas Street.....     | 367                 | 395              | 92.9   |
| Seymour Road .....     | 218                 | 235              | 92.8   |
| Mulberry Street .....  | 259                 | 283              | 91.5   |
| Broughton Street ..... | 49                  | 54               | 90.7   |
| TOTALS .....           | 1152                | 13632            | 83.3   |

## SUMMARY.

|                                 | Average Attendance | Number on Books. | Percentage of Average Attendance as compared with the Number on Books. |
|---------------------------------|--------------------|------------------|--|
| SCHOOLS FOR OLDER SCHOLARS..... | 3459               | 38626            | 90.5   |
| INFANTS' SCHOOLS .....          | 1152               | 13632            | 83.3   |
| TOTALS .....                    | 4611               | 52258            | 88.6   |

NOTE.—A copy of such a Return is issued monthly to each school in the city, and it acts as a powerful stimulant for both teachers and officers.

Mancaster School Board.

## ATTENDANCE IN VOLUNTARY SCHOOLS DURING THE MONTH ENDED NOVEMBER 28th, 1902.

## I.—SCHOOLS FOR OLDER SCHOLARS.

| Name of School.           | Denomi-<br>nation. | Average<br>Attend-<br>ance. | Number<br>on<br>Books. | Percentage<br>of Average<br>Attendance<br>as compared<br>with the<br>Number on<br>Books. |
|---------------------------|--------------------|-----------------------------|------------------------|--|
| Chetham's Hospital .....  | N.                 | 97                          | 100                    | 97.0   |
| All Souls' .....          | B.                 | 181                         | 189                    | 95.8   |
| St. Edward's, Rusholme.   | R.C.               | 114                         | 120                    | 95.0   |
| Jews' .....               | Br.                | 696                         | 734                    | 94.8   |
| St. Wilfrid's, Hulme..... | R.C.               | 386                         | 407                    | 94.8   |
| Cavalry Barracks .....    | Br.                | 17                          | 18                     | 94.4   |
| TOTALS .....              | ...                | 32678                       | 36411                  | 89.7   |

## II.—INFANTS' SCHOOLS.

| Name of School.             | Denomi-<br>nation. | Average<br>Attend-<br>ance. | Number<br>on<br>Books. | Percentage<br>of Average<br>Attendance<br>as compared<br>with the<br>Number on<br>Books. |
|-----------------------------|--------------------|-----------------------------|------------------------|--|
| Cavalry Barracks.....       | Br.                | 22                          | 23                     | 95.7   |
| Jews' .....                 | Br.                | 577                         | 606                    | 95.2   |
| St. James', Rusholme.....   | N.                 | 119                         | 130                    | 91.5   |
| Holy Trinity, Rusholme....  | N.                 | 172                         | 189                    | 91.0   |
| St. Clement's, Openshaw.... | N.                 | 227                         | 250                    | 90.8   |
| St. John's, Longsight ..... | N.                 | 248                         | 274                    | 90.5   |
| TOTALS .....                | ...                | 14685                       | 18001                  | 81.6   |

## SUMMARY.

| SCHOOLS FOR OLDER SCHOLARS. | Average<br>Attendance. | Number<br>on Books. | Percentage of Average<br>Attendance as Compared<br>with the Number on Books. |
|-----------------------------|------------------------|---------------------|--|
| INFANTS' SCHOOLS .....      | 32678                  | 36411               | 89.7   |
| TOTALS .....                | 14685                  | 18001               | 81.6   |
| TOTALS .....                | 47363                  | 54412               | 87.0   |

NOTE.—A copy of such a Return is issued monthly to each school in the city, and it acts as a powerful stimulant for both teachers and officers.

MANCHESTER SCHOOL BOARD.

DUPLICATE REQUISITION FOR SCHOOL MATERIALS.

Board School.

Department.

190

Description of Articles.

Quantity in Stock.

Quantity Required.

MANCHESTER SCHOOL BOARD.

REQUISITION FOR SCHOOL MATERIALS.

Board School.

Department.

190

Description of Articles.

Quantity in Stock.

Quantity Required.

Signed

Signed Principal Teacher.

Examined Inspector.

Order to be procured day of 190

Chairman of Managers.





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